
TIGARD CITY COUNCIL
MEETING

MAY 13, 2003 6:30 p.m.

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Visitor's Agenda items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
MAY 13, 2003

6:30 PM

- STUDY SESSION
 - > INSURANCE COVERAGE FOR COUNCIL
 - Administration Staff
 - > DISCUSS THE PROCESS FOR THE CITY MANAGER'S REVIEW
 - Administration Staff
- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to discuss labor negotiations and current or potential litigation under ORS 192.660(1d) and (1h). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING
 - 1.1 Call to Order - City Council & Local Contract Review Board
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items
2. PROCLAMATIONS
 - 2.1 Proclaim the Week of May 18 to 24, 2003, as Emergency Medical Services Week
 - Mayor Griffith
 - Presentation by Metro West Ambulance
3. VISITOR'S AGENDA (Two Minutes or Less, Please)
 - Tigard High School Student Envoy Paul Brems

- Tigard Area Chamber of Commerce President-Elect Dan Murphy

4. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

4.1 Approve Council Minutes for March 18 and 25, and April 8 and 15, 2003

4.2 Receive and File:

- a. Annual Solid Waste Financial Report Findings
- b. 2003 State Domestic Preparedness Equipment Grant

4.3 Approve Submittal of a Transportation and Growth Management Grant Application for Preparing a Downtown Redevelopment Plan – Resolution No. 03 - _____

4.4 Local Contract Review Board:

- a. Award Contract for the Construction of Embedded Crosswalk Lighting System on Bonita Road to North Star Electrical Contractors
- b. Award Contract for Engineering Services for the Design and Construction of the New 550 Foot Reservoir #2 (Rider School Reservoir) to Murray, Smith and Associates, Inc.

- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*

5. UPDATE ON NEW LIBRARY

- a. Staff Report: Library Staff
- b. Council Discussion

6. INTRODUCTION TO THE COMMUNITY ASSESSMENT PROGRAM (CAP)

- a. Staff Report: Administration Staff
- b. Council Discussion

7. DISCUSSION OF THE STREET MAINTENANCE FEE

- a. Staff Report: Engineering Staff
- b. Council Discussion

8. CONSIDER A RESOLUTION AMENDING THE FISCAL YEAR 2002-03 CAPITAL IMPROVEMENT PROGRAM BUDGET
 - a. Staff Report: Engineering Staff
 - b. Council Discussion
 - c. Council Consideration: Resolution No. 03 - _____
9. COUNCIL LIAISON REPORTS
10. NON AGENDA ITEMS
11. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
12. ADJOURNMENT

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AGENDA ITEM # _____
FOR AGENDA OF 5/13/03

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Study Session – Insurance Coverage For Council

PREPARED BY: Loreen Mills DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

This will be a short briefing for Council highlighting the City's insurance coverage for City Council and how Council can operate to protect their right to coverage under the insurance policies.

STAFF RECOMMENDATION

Council will develop a basic understanding of the insurance coverage available how to preserve coverage under the policies.

INFORMATION SUMMARY

The City purchases insurance to provide protection in case of a loss. While it is good to have insurance in place, it is important to understand there are limits and exclusions in the insurance policies.

Information will be presented by Loreen Mills, Tigard's Risk Manager, noting those insurance policies that specifically provide coverage for City Council and the limits and exclusions in those policies. Tim Ramis, Tigard's City Attorney, will then advise Council about ways to protect their ability to preserve the coverage of those policies while taking action and making decisions.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

N/A

FISCAL NOTES

In 2002-03, \$564,198 was budgeted for citywide insurance casualty/property coverage (does not include any employee benefits).

PROCLAMATION

Emergency Medical Services Week

WHEREAS, emergency medical services are a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide life-saving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recover rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

WHEREAS, injury prevention and appropriate use of the EMS system will help reduce national health care costs.

NOW THEREFORE BE IT RESOLVED THAT I, Jim Griffith, Mayor of the City of Tigard, Oregon, do hereby proclaim the

Week of May 18 - 24, 2003

Emergency Medical Services Week

in Tigard, Oregon and encourage our citizens, businesses and organizations to observe this week with appropriate programs, ceremonies and activities.

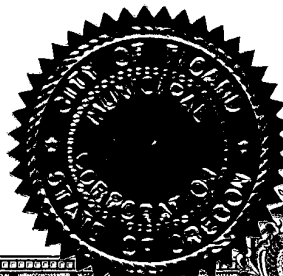
Dated this _____ day of _____, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tigard to be affixed.

Jim Griffith, Mayor
City of Tigard

Attest:

City Recorder



COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
March 18, 2003

1. WORKSHOP MEETING

- 1.1 Mayor Griffith called the meeting to order at 6:36 p.m.
- 1.2 Roll Call: Mayor Griffith and Councilors Dirksen, Moore, Sherwood, and Wilson were present.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non Agenda Items: None

2. UPDATE ON THE URBAN GROWTH BOUNDARY EXPANSION AND SCOPE

Community Development Director Hendryx and Long-Range Planning Manager Shields updated Council on Metro's UGB expansion program and process, including major policy alternatives for Tigard.

Concerns and discussion by Council included:

- density – what if 10 units/acre is not doable; how to plan next to less-dense areas
- new regulations on how to provide housing, including affordable housing
- agreement that City should provide planning for the area; explore possibility for assistance from County or Metro for the cost in planning for this area
- detailed analysis for area will be needed; outside assistance for staff required for transportation modeling and review of natural resources
- ask developers to help pay for this planning...a possibility?
- County is anticipating that the City will do this planning for two areas adjacent to Tigard
- planning must be done within two years
- annexation not required prior to urbanization
- these areas are not extensively developed as is the adjacent Bull Mountain area; planning should be looked at differently
- agreement that potential annexation of Bull Mountain parcels and the two new UGB parcels should proceed on "separate tracks"

Community Development staff will prepare information for Council review of the proposed Bull Mountain annexation in June.

3. DISCUSSION ON THE PROPOSED STREET MAINTENANCE FEE

City Engineer Duenas, and Transportation Financing Strategies Task Force Members Bev Froude, Glenn Mores, and Joe Schweitz were present to report to the Council on the proposed street maintenance fee.

Council was given background information. Discussion was held on how streets are monitored for deterioration; the methodology for assigning fee assessment (trip generation) for residential and commercial properties; status of other Oregon cities street maintenance fee; faster deterioration of roadways associated with street cuts.

Staff and the Task Force members recommended proceeding with establishing the street maintenance fee.

Councilor Wilson and Sherwood commented that the timing was not good to implement such a fee because of the poor economy. Mayor Griffith and Councilors Moore and Dirksen indicated support of the fee because delayed maintenance may be more costly in the long run.

Direction to Engineering staff was to prepare information for a public hearing to be scheduled for April or May. Additional information would be prepared with regard to fee assessment (i.e., trip generation or 50/50 split between residential and commercial; also, either a sunset clause proposal or a required periodic review). After the public hearing, an ordinance will be prepared for Council consideration if a majority of Council indicates a desire to proceed with a street maintenance fee.

4. PREVIEW AND DISCUSS ATFALATI RECREATION DISTRICT CONCESSION AGREEMENT OPTIONS

Public Works Director Wegner reviewed options for the Atfalati Recreation District (ARD) repayment schedule for a portion of land acquisition and improvements to Cook Park. Council and staff also reviewed the proposal for the future operations of the Cook Park Concession Stand.

Highlights of the staff presentation are contained in a PowerPoint presentation (copy on file in the City Recorder's office).

ARD Representatives present included John Anderson, Valorie Westlund (Southside Soccer Club) and Maria Rose (Little League).

The City and ARD agreed to proceed immediately with the Cook Park improvements, rather than a phased-in approach, when it was possible for the City to receive a low-interest loan. The Agreement with ARD was silent about loan interest.

After discussion about the proposed options for the ARD repayment schedule, Council members agreed they would consider agreeing to a \$65,000 credit requested by ARD. With regard to loan interest, Council discussed the state of the City's limited finances as well as the services provided to the community by ARD. An option that Council members would like to review would be to consider a grant to ARD (in the community events portion of the budget) for \$5,000 a year for the next 10 years. If approved, ARD would need to apply for a grant each year along with other community event requests.

Council agreed with the proposed Concession Stand Operation Agreement Addendum as presented.

Public Works staff will return to Council on April 8 with a proposal for Council's formal consideration with regard to the ARD repayment scheduled and the Concession Stand Operation Agreement.

> Administrative Items:

City Manager Monahan reviewed the following Administrative Items:

- Shining Stars Banquet – May 2, 6 p.m. – Greenwood Inn. Councilors Sherwood and Dirksen will attend.
- Mayor's Prayer Breakfast – May 7, - 7-9:15 a.m.; Mayor and Councilors Dirksen, Sherwood, and Wilson will attend.
- Council Budget – Councilors agreed to cut NLC membership and attendance at the NLC Conference, plus reduce the business meeting lunches & dinner line item by \$216.
- Joint meeting with City of Tualatin Council and Tigard-Tualatin School District Board on April. Agenda items were reviewed. "Status of Youth Forum" was added as an item to this agenda.
- Councilor Dirksen will serve on the Executive Committee for Atfalati
- Councilor Wilson advised he may consider serving on the Metro Regional Center Committee.
- Representative Williams cannot meet with Council on March 25 or April 22; he suggested that he could meet with Council on April 8. Senator Burdick will be contacted to determine what her preference would be for meeting with the Council.

- After a brief review of the letter received from Lake Oswego Mayor Judie Hammerstad, Council indicated that it would be open to hear proposals about how cities might be able to assist with funding for school districts.
- Council received information from Community Development Director Hendryx about 74th Avenue Greenspaces acquisitions (Metro request for City to assume local management responsibility).
- City Manager Monahan reported that Tigard Police Officers will be available to assist the City of Portland (mutual assistance) in anti-war demonstration activity expected in Portland.
- Council was reminded of Ron Goodpasters' retirement reception on Thursday, March 20, 7 p.m.
- A delegation from Indonesia is expected to arrive in April. They will spend time learning about Beaverton's mediation program.

5. COUNCIL LIAISON REPORTS

6. NON-AGENDA ITEMS: None

7. EXECUTIVE SESSION: Not held

8. ADJOURNMENT: 9:21 p.m.

Attest:

Catherine Wheatley, City Recorder

Mayor, City of Tigard

Date: _____

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COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
March 25, 2003

Mayor Griffith called the meeting to order at 6:30 p.m.

Council Present: Mayor Griffith, Councilors Dirksen, Moore, Sherwood, and Wilson

- STUDY SESSION

- > TUALATIN VALLEY TELEVISION INTRODUCTION

Tualatin Valley Television (TVTV) Executive Director Marci Hosier presented information (additional written materials submitted to the Council) about the services and programming provided by TVTV.

- > DISCUSSION ON FLUORIDATION IN DRINKING WATER

Public Works Director Wegner advised the Council that the City of Portland has taken "off the table" discussions about formation of a regional drinking water supply agency for the immediate future. Portland will commence negotiations for new contracts with its wholesale drinking water customers.

The Joint Water Commission remains a viable option for the Tigard water service area. Assistant Public Works Director Koellermeier explained that the City currently has an agreement with the City of Beaverton to receive 4 million gallons a day of drinking water from the Joint Water Commission. The City of Beaverton will begin fluoridating its drinking water supply by January 2004. Issues for Tigard's review include:

- fluoridated water may be coming to Tigard from Beaverton
 - Tigard's willingness to accept fluoridated water

Staff suggested, and Council concurred, that the Intergovernmental Water Board would be the best entity to monitor this issue and develop a recommendation on options for the City Council to review. Staff will keep Council apprised as developments unfold.

There was some discussion about an advisory vote to ask service-area voters if they would want additional fluoride added as the water from Beaverton will blend with the water from Portland, which is not fluoridated.

- > BRIEFING ON QWEST/VERIZON FRANCHISE FEE AUDIT
(See item #7 during the business meeting for materials)

Finance Director Prosser noted this matter was also scheduled for discussion during the meeting (Agenda Item No. 7). He noted receipt of communication from Qwest advising they would not be able to participate in an audit until 2006. Qwest represents a small percentage of the telecommunication service for Tigard residents. The audit for Verizon is proceeding in a cooperative manner.

- > ADMINISTRATIVE ITEMS

- Senator Burdick and Representative Williams will attend the April 8 City Council meeting; they will not attend tonight's meeting or the April 22 meeting as previously scheduled.
- City Manager Monahan described the proposal for an Assistant Chief position in the City of Tigard. Council supported the proposal.
- Council members were given preliminary information about Police Community Meetings, which is also an agenda item for the business meeting (No. 5). Council members each committed to attending a meeting as follows:
 - April 24 – Councilor Dirksen
 - May 1 – Mayor Griffith
 - May 8 – Councilor Wilson
 - May 15 – Councilor Moore
 - TBA – Business Community meeting --
Councilor Sherwood
- City Manager reminded Council of the benefit concert to be performed by Michael Allen Harrison on April 4 at the Tigard High School.

- EXECUTIVE SESSION: Not held

1. BUSINESS MEETING

- 1.1 Mayor Griffith called the City Council & Local Contract Review Board meeting to order at 7:33 p.m.
- 1.2 Roll Call: Mayor Griffith and Councilors Dirksen, Moore, Sherwood, and Wilson
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: Councilor Wilson advised he would have a liaison report (See Agenda Item No. 10).
- 1.5 Call to Council and Staff for Non-Agenda Items: None

2. PROCLAMATIONS

Mayor Griffith proclaimed April 21 to 27 as National Community Development Week

3. VISITOR'S AGENDA

No visitors.

4. CONSENT AGENDA: Motion by Councilor Moore, seconded by Councilor Sherwood to approve the Consent Agenda as follows:

4.1 Approve Intergovernmental Agreement with Washington County Regarding the West Nile Virus Response Plan

The motion was approved by a unanimous vote of Council:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

5. DISCUSSION CONCERNING COMMUNITY OUTREACH MEETINGS

Chief Dickinson advised he is establishing a strategic plan for providing police services. To accomplish this, available data pertaining to police activity will be assembled and analyzed. The second component is to find out what the people in Tigard want. To hear from Tigard residents and business owners, the Chief is coordinating several Community Outreach Meetings. City representatives will be available beginning at 6:30 p.m.; the meetings will start at 7 p.m. and conclude by 8 p.m. on the following dates and locations:

April 24 – Templeton School
May 1 – CF Tigard School
May 8 – Mary Woodward School
May 15 – Metzger School

Tigard City Council representatives from city departments and staff from Tualatin Valley Fire & Rescue will be on hand to answer questions. The purpose of the

meeting is to get citizen input on service the City provides. The goal is to improve the services and better meet the needs of Tigard's citizens.

6. DISCUSSION WITH STATE SENATOR GINNY BURDICK AND STATE REPRESENTATIVE MAX WILLIAMS

Cancelled. Legislators will meet with Council on April 8.

7. UPDATE ON THE QWEST/VERIZON FRANCHISE FEE AUDIT

Finance Director Prosser advised that more than 69 Oregon cities have joined together to conduct an audit of franchise fees paid by Qwest and Verizon for use of the public's rights of way to deliver their services. Qwest has indicated they would not be available for such an audit until 2006. The Verizon audit is proceeding in a cooperative manner.

8. CONSIDER A RESOLUTION GRANTING A PROPERTY TAX EXEMPTION FOR THREE NON-PROFIT, LOW-INCOME HOUSING PROJECTS

Finance Director Prosser reviewed this agenda item and resolution, which would grant a property tax exemption for 2003 for three low-income housing projects owned and operated by the Community Partners for Affordable Housing.

Motion by Councilor Sherwood, seconded by Councilor Dirksen, to adopt Resolution No. 03-10.

RESOLUTION NO. 03-10 – A RESOLUTION GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER TIGARD MUNICIPAL CODE SECTION 3.50 FOR THREE NON-PROFIT LOW INCOME HOUSING PROJECTS OWNED AND OPERATED BY COMMUNITY PARTNERS FOR AFFORDABLE HOUSING.

The motion was approved by a unanimous vote of Council:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

9. CONSIDER A RESOLUTION ACCEPTING AND ENDORSING THE COMMUTER RAIL STATION DESIGN RECOMMENDATIONS FROM THE DOWNTOWN TASK FORCE

Long-Range Planning Manager Barbara Shields introduced this agenda item. Project Manager Beth St. Amand gave a brief overview of the work done by the Task Force. Task Force Chairman Mike Marr reviewed the recommended station design elements for the commuter rail station to be located downtown. (Highlights of the presentation are on file in the City Recorder's office) Also present was Tri Met representative Joe Walsh. Mr. Walsh agreed that much of the work done by the Task Force might be used for the Washington Square Station as well as other stations along the rail line.

Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Resolution No. 03-11.

RESOLUTION NO. 03-11- A RESOLUTION ACCEPTING AND ENDORSING THE DOWNTOWN TASK FORCE'S DESIGN RECOMMENDATIONS DOCUMENT FOR THE COMMTER RAIL STATION.

The motion was approved by a unanimous vote of Council:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

10. COUNCIL LIAISON REPORTS

Councilor Wilson advised that the Westside Economic Alliance *Insider* newsletter reported that Metro has requested the state legislature consider creating a task force to look at the concept of revenue sharing between jurisdictions that share an urban growth boundary. (SB 626) Council discussed the proposed bill and unanimously expressed the opinion that the bill is a bad idea and, if passed, it would result in loss of local control. It is Tigard's recommendation that the bill be dropped from consideration and the idea of forming a revenue sharing task force be discontinued. Mayor Griffith will sign a letter to the bill's sponsor, Senator Ryan Deckert, expressing Tigard's concerns.

11. NON AGENDA ITEMS: None

12. EXECUTIVE SESSION: Not held.

13. ADJOURNMENT: 8:43 p.m.

Attest:

Catherine Wheatley, City Recorder

Mayor, City of Tigard

Date: _____

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COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
April 8, 2003

Council President Dirksen called the meeting to order at 6:30 p.m.

Council Present: Council President Dirksen and Councilors Moore, Sherwood, and Wilson

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:30 p.m. to discuss pending litigation under ORS 192.660(1h).

Executive Session concluded at 6:54 p.m.

- STUDY SESSION
 - Insurance 101

Risk Manager Loreen Mills and Agent of Record Ron Cutter from JBL&K Risk Services presented information for "Insurance 101." The presentation included a short briefing highlighting the City's process for procuring insurance coverage and an insurance market update. The current insurance market is very "hard" and purchasing insurance coverage is difficult. Highlights of the presentation (current coverage review and premium history) are contained in a handout distributed to the Council and on file with the City Recorder.

- Administrative Items
 - Consent Agenda Item 4.4 – Atfalati – City Manager reminded Council that attachments were sent to them in the Friday mail packet.
 - Consent Agenda Item 4.5. – Staff recommended this item be pulled from the Consent Agenda for separate discussion. A memo was sent to the Council in the Friday mail packet.
 - Delinquent Accounts – Council concurred with staff's proposal to change to collection methods on delinquent accounts (included in the March 21, 2003, Council newsletter). Staff will authorize the collection agent to report delinquent accounts to credit bureaus.
 - Shining Stars Banquet – May 2, 2003, 6:00 p.m. – Greenwood Inn (Councilors Sherwood and Dirksen indicated they are attending).
 - City Manager's review. Information was sent to the City Council in the Friday mail packet. Council briefly discussed this item. The Council will hold a discussion at next week's meeting about how to conduct this year's review if time permits and if the Mayor is in attendance. City Manager said there are no time constraints as this is year two of a four-year contract.

- Alberta Rider property – annexation. Information was distributed to Council regarding a question by the Tigard-Tualatin School District Board about whether the Alberta Rider School property, if annexed, would create an island. It would not. Staff will attend the next Board meeting to answer questions by the Board about potential annexation of this school property.
- Closure of Gaarde Street – Council received an April 8, 2003, memo from City Engineer Gus Duenas with information about why the street was closed to all but local traffic and the rationale for keeping it closed during the next three months.
- Next joint meeting of the Tualatin City Council and the Tigard-Tualatin School District was set for October 6, 2003, 6:30 p.m., at Tigard Water Building.
- Update on meeting on April 7 meeting hosted by Senator Burdick and Representative Williams. City Manager Bill Monahan attended this meeting; most discussion centered on financing issues for education.
- City Manager asked if the Council would like to meet with the Washington County Board of Commissioners on July 15, 2003, or August 19, 2003 (workshop meetings)? Council selected July 15.
- PGE – PUD opposition; clean wind. Information was distributed City Council. This item was discussed briefly. More discussion to be held upon return of the Mayor – possibly at the 4/15/03 Council meeting.

Study Session concluded at 7:32 p.m.

1. BUSINESS MEETING

- 1.1 Council President Dirksen called the City Council & Local Contract Review Board meeting to order at 7:35 p.m.
- 1.2 Roll Call: Council President Dirksen and Councilors Moore, Sherwood, and Wilson
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: Councilor Sherwood advised she would have a liaison report (See Agenda Item No. 10).
- 1.5 Call to Council and Staff for Non-Agenda Items: None

2. PROCLAMATIONS

- 2.1 Proclaim Days of Remembrance – April 27 – May 4, 2003
- 2.2 Proclaim Be Kind to Animals Week – May 4 – 10, 2003

Council President Dirksen proclaimed Days of Remembrance and Be Kind to Animals Week.

3. VISITOR'S AGENDA (Two Minutes or Less, Please)

- Tigard Area Chamber of Commerce President-Elect Dan Murphy reviewed upcoming Chamber events including the Lunch Forum on April 15, featuring Chief of Police Bill Dickinson and the Shining Stars Banquet on May 2. Former

Tigard Police Chief Ron Goodpaster will be honored at the Shining Stars Banquet as Tigard's First Citizen.

- Ms. Juliet Cai, 16820 SW Whitley Way, Beaverton, OR 97006 and Mr. Hongyu Zhao, 15237 SW 98th Avenue, Tigard, OR 97224, addressed the Council on Falun Dafa, which is a practice for living by cultivating one's heart, body, and mind. Council members received a publication about Falun Dafa. Mr. Hongyu Zhao, a Tigard resident noted that in China Falun Dafa practitioners, including his family members are being persecuted in China.
 - Mr. Mark Mahon encouraged the Council to work to retain the Tigard Festival of Balloons and referred to its importance as a community event. Mr. Mahon also reminded the Council and audience that many members of the Tigard community have been called up to serve in the war in Iraq and that their service should be acknowledged.
4. CONSENT AGENDA: Motion by Councilor Moore, seconded by Councilor Sherwood, to adopt the Consent Agenda, with the exception of Item No. 4.5, which was pulled for separate discussion.
- 4.1 Approve Council Minutes: March 11, 2003
 - 4.2 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda
 - 4.3 Appoint Steve Varga to the Tree Board and Appoint Ron Callan and Jan Gillis as First and Second Alternates, Respectively, to the Tree Board - Resolution No. 03-____
 - 4.4 Approve Atfalati Recreation District Repayment Schedule and Concession Stand Operation
 - ~~4.5 Initiate Vacation Proceedings for SW Mapleleaf Street and Unnamed Strip of Right of Way (VAC 2002-00002) - Resolution No. 03-____ This item was discussed separately – see below.~~

The motion to approve the Consent Agenda, less Item No. 4.5, was approved by a unanimous vote of Council present:

Councilor President Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

Separate discussion was then conducted on the following item:

4.5 Initiate Vacation Proceedings for SW Mapleleaf Street and Unnamed Strip of Right of Way (VAC 2002-00002)

This item was removed from the Consent Agenda for separate discussion because two options were presented for Council consideration. Community Development Director Jim Hendryx reported that the School District is asking the City Council to initiate vacation proceedings to vacate 26,258 square feet of SW Mapleleaf Street and approximately 9,716 square foot portion of right of way formerly known as SW Oak Way. The vacation request relates to the reconstruction of Metzger Elementary School. Council also received an April 2, 2003, memo from Mathew Scheidegger further explaining the vacation request and also the purpose and mechanics of the vacation process. After discussion, Council adopted the resolution (No. 03-13) labeled "Attachment 2" in their packet materials. This resolution initiated the vacation process as requested by the School District and a public hearing will be heard on the vacation at the May 27, 2003, City Council meeting.

Motion by Councilor Sherwood, seconded by Councilor Willson, to adopt Resolution No. 03-13, shown as "Attachment 2" in the materials distributed to the City Council.

The motion was approved by a unanimous vote of Council present:

Councilor President Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

5. DISCUSSION WITH STATE SENATOR GINNY BURDICK AND STATE REPRESENTATIVE MAX WILLIAMS

Senator Burdick was present; Representative Williams did not attend.

Senator Burdick said there is a \$2 billion shortfall in the State's budget, which will mean bad news for practically everyone. Highlights of her discussion included:

- The legislature is committed to do the best they can within their limited resources.

- She spoke to the message conveyed to the legislature by the majority of voters who did not support Measure 28.
- She noted the Public Employee Retirement System (PERS) issues. Reform is in order and it's a crisis that needs a solution.
- She referred to Mayor Griffith's support in her pedestrian safety bill to require vehicles to stop when pedestrians are in crosswalks.
- She said she is frustrated that education is not being funded adequately but added that education funding is better than that for other programs. There was discussion on local option levies, which Senator Burdick said would require a Constitutional amendment. She said she would vote for anything that would help education; however, she cautioned that the local option levy might run contrary to the school equalization requirements to be applied to schools throughout the state.
- She advised she thought the "kicker" rebate to taxpayers when times are good was not a good idea. These dollars could be saved for use when the economy isn't as strong.

6. UPDATE ON NEW LIBRARY

Library Director Barnes updated the Council on the progress on the new library. A groundbreaking ceremony will be held on Saturday, May 17, at 10 a.m. The Friends of the Library have successfully raised funds for the past few years, which they are saving for the new library.

7. ANNUAL VOLUNTEER REPORT

Volunteer Coordinators Susan Koepping and Trish Stormont presented the annual volunteer report. Volunteers work in all City departments, generously contributing time, energy, skills, and experience. Sandra Thorne (Library), Jim Wolf (Police), and Craig Prosser (Finance) were present and related their experiences and the valuable contributions made by volunteers in their departments.

8. DISCUSSION ON STRATEGIC FINANCIAL PLAN

After hearing a brief staff report from Finance Director Prosser, a motion was made by Councilor Moore, seconded by Councilor Sherwood, to adopt the Strategic Financial Plan Report.

The motion was approved by a unanimous vote of Council present:

Councilor President Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

A copy of the Strategic Financial Plan is on file in the City Recorder's office.

9. COUNCIL LIAISON REPORTS

Council Sherwood noted that Commissioner Roy Rogers advised her that Tigard does not have any projects submitted for the State Economic Development Projects list. City Manager Monahan responded that because of the requirements needed to submit projects for the list coupled with the fact that there is no funding available, staff decided not to submit any projects. Councilor Sherwood suggested that the City may want to consider submitting projects in the future.

10. NON AGENDA ITEMS: None

11. EXECUTIVE SESSION: Not held

12. ADJOURNMENT: 9:13 p.m.

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

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COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
April 15, 2003

1. WORKSHOP MEETING

- 1.1 Council President Dirksen called the meeting to order at 6:30 p.m.
- 1.2 Roll Call: Councilor President Dirksen and Councilors Moore, Sherwood, and Wilson were present.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non Agenda Items: Councilor Moore advised he would like to discuss the Tigard Festival of Balloons (See Item No. 8)

2. JOINT MEETING WITH THE INTERGOVERNMENTAL WATER BOARD –
UPDATE ON LONG-TERM WATER SUPPLY

Intergovernmental Water Board Members Present: Jan Drangsholt, Patrick Carroll, Norm Penner.

Public Works Director Wegner reviewed information with the Council and IWB Board members present. Highlights of Mr. Wegner's presentation (PowerPoint slides) are on file in the City Recorder's office. In summary:

- City of Portland recently withdrew support of a regional agency at this time. Tigard will continue to be dependent on the Bull Run System to meet a portion of our water supply needs. Tigard, along with other suburban wholesalers, must now shift their focus to the negotiation of new wholesale contracts.
- Tigard will continue with negotiations to join the Joint Water Commission (JWC) and participate in feasibility studies for expansion of capital improvements to the JWC. It is anticipated that Tigard will become a partner of the JWC soon – possibly by the end of this year.
- Tigard will continue to pursue other options. Councilor Moore suggested that the City determine once and for all whether the Willamette River source would ever be possible for the City of Tigard. Tigard voters would need to approve any use of water from the Willamette River.

Mr. Wegner suggested that the City Council and Intergovernmental Water Board members continue to meet on a quarterly basis to hear updates on progress for long-term water efforts. The next joint meeting will be on July 15, 2003.

3. REVIEW OF SKATE PARK SITE CRITERIA

Public Works Director Wegner introduced this agenda item. He summarized the history of the efforts to establish a skate park identified by members of the Mayors Youth Forum as a need for an unserved segment of Tigard's youth population. Subsequently, the Tigard City Council created the Skate Park Task Force to explore the feasibility and determine what would be necessary to make a skate park facility a reality. Parks Manager Dan Plaza asked the Council to review identified sites and indicate whether it would allow a skate park to be built on one of the sites. Several sites were considered by the Task Force with the focus now being on either the City Hall parking lot or Cook Park. Mr. Plaza reviewed the criteria considered. Both government-owned and private property sites were considered.

Mr. Rich Carlson, Chair of the Skate Park Task Force said the Task Force has been working for about the past 18 months and the Task Force could not go much further with planning and fundraising until they know whether they have a site.

There was lengthy Council discussion about potential sites. Councilor Wilson noted that he would have preferred to see the skate park located at the Fowler Middle School site, but was willing to name the City Hall parking lot for now so the Task Force can start fundraising. He urged the Task Force to continue to look for alternative sites. Councilors Moore, Sherwood, and Dirksen agreed that the City Hall site was a good option. The City would not supply any financing but it could provide this property. Councilor Dirksen said he thought that this was a good compromise. Councilor Sherwood said she agreed with Councilor Moore's comments that this location was good because it's on a bus line, near the Police Department, visible, and centrally located.

Mr. Plaza said Police Chief Dickinson did not object to the increased use of the lobby area (for restrooms, water fountain) and for the City Hall parking lot (police vehicles coming and going). City property maintenance staff noted there would be additional maintenance because of increased use of restroom facilities.

The plan would be to make room available for an initial skate park facility of at least 15,000 square feet at the City Hall/"Niche" parking lot site identified on the drawing presented by Mr. Plaza. There may be some potential to expand in the future or to establish additional skate parks in other parts of the city.

4. UPDATE ON THE COMMUNICATION PLAN

Assistant to the City Manager Newton presented the staff report. She reviewed the new Focus on Tigard program. She advised the updated Communication Plan should be completed in June. The web page is improving and new items added. The TVTV Bulletin Board's new software allows Tigard to provide more interesting

announcements about activities. Councilor Dirksen agreed with the need to add more community connectors. He referred to the Cityscape newsletter and said that he would not want to skimp on its appearance. Ms. Newton said discussion on Cityscape options and costs would be presented to the Budget Committee. Councilor Dirksen suggested an electronic reader board, such as the one at the Tigard High School, be considered for announcements.

➤ METROPOLITAN TRANSPORTATION IMPROVEMENT PROJECTS (MTIP)

Community Development Director Hendryx announced that three Tigard projects made the first cut for MTIP funding. These projects, totaling \$2.6 million include:

1. Greenway Trail @ Washington Square
2. Widening of Greenburg Road from S.W. North Dakota to SW Shady Lane
3. Pedestrian improvements in the downtown area along Commercial Street from Lincoln Street to Main Street

5. DISCUSSION ON DOWNTOWN LONG-TERM REDEVELOPMENT STRATEGY

Community Development Director Hendryx presented the staff report. The Downtown Task Force and staff are engaged in an overall planning effort for downtown Tigard. A commuter rail train system will carry commuters through Tigard from Wilsonville to Beaverton. The Downtown Task Force was assigned three main objectives:

1. work closely with Washington county and TriMet to influence the station's design
2. examine downtown traffic infrastructure improvements
3. develop a work plan to address revitalization and economic development needs in downtown.

On March 25, Council approved a resolution adopting the Task Force's recommendations for the station design thereby completing the first objective.

The Council and Community Development Director reviewed a general approach for the overall development strategy. The strategy involves three major phases, which include preparation of: 1) Assessment Report; 2) Downtown Revitalization/Redevelopment Plan and 3) Downtown Infrastructure Implementation Plan.

Key points of the discussion included the following:

- City Manager Monahan questioned whether the area identified as the Central Business District on the current zoning map should be reevaluated. The area that is being viewed by the Task Force as the “downtown” includes the land bordered by Hall Blvd., Pacific Highway, and Fanno Creek, which is only a portion of the Central Business District.
- Community Development Director reviewed a chart showing what could be accomplished with a Transportation and Growth Management Grant (TGM) and the also what could be done without a TGM grant. Priorities will need to be established for the Department’s work plan.
- Council indicated general support of the development strategy as presented in the staff report.

6. UPDATE ON THE WASHINGTON COUNTY COOPERATIVE LIBRARY SERVICES (WCCLS) FUNDING FORMULA

Library Director Barnes presented the staff report. She reviewed some background information and noted that WCCLS members are working to develop a new funding formula. Discussion followed on the fact that the Tigard area contributes more dollars than it receives back under the current funding method. City Manager noted the efforts of Tigard to have the formula based on elements that are easily tracked and identified. Another goal is to have some stability in the funds allotted to each member agency to allow for better financial planning. The Council will revisit this issue again next week. In the interim, Councilors will consider whether or not they could be available to attend Cooperative Library Advisory Board meetings at 7 p.m. on the first Wednesday of each month.

7. CITY MANAGER REVIEW PROCESS DISCUSSION

Discussion postponed. A copy of the City Manager’s current contract was distributed to the Council members present.

8. DISCUSSION OF PGE INFORMATION

- Request for support in opposition to potential condemnation of PGE by Multnomah County

Additional information was distributed to the Council members. After lengthy discussion, Council noted a general concern with a government agency purchasing any PGE asset. Opposition letters from Salem and Beaverton were sent to the Oregon Office of Energy. Staff will forward a copy of these letters to Council. More discussion will be held on this item at the April 22, 2003 Council Study Session.

- Clean wind power option

After brief discussion, Council decided the City would not pursue participation in this program at this time.

9. COUNCIL LIAISON REPORTS: None

10. NON-AGENDA ITEMS

- Tigard Festival of Balloons

Councilor Moore noted his concern about the cancellation of the Balloon Festival because of the lack of a major sponsor this year. He asked the Council to consider how important it was to have this event for Tigard.

Discussion followed among the Council, staff, and citizens (Mark Mahon and Bob Rohlf) present. Individuals and groups have indicated a willingness to step forward to assist with the planning and the work necessary to coordinate an event for 2004. City Manager Monahan advised that the current Balloon Festival event is owned by Bruce Ellis and the City has an agreement with Mr. Ellis. After discussion, consensus of Council was that Councilor Moore would consult with Mr. Ellis about his plans and the future of the festival.

➤ ADMINISTRATIVE ITEMS REVIEWED:

- Community Outreach Meetings

Councilor Sherwood agreed to attend the Community Outreach Meeting on April 24 for Councilor Dirksen who has a scheduling conflict that evening.

- City Manager Monahan reviewed the following with the Council:
 - Update: Mayor Griffith's condition – Mayor Griffith is in the Tillamook County Hospital after undergoing emergency surgery. He hopes to be released from the hospital by the end of the week.
 - Shining Stars Banquet, Friday, May 2, 6 p.m. at Greenwood Inn; \$35/per person – Councilor Sherwood and Councilor & Mrs. Dirksen plan to attend.
 - Arbor Day – 4-22, 9:30 – 11:30 a.m., Durham Elementary School – Councilor Sherwood advised she could attend this event should the Mayor be unable.
 - Balloon Festival – Agreement distributed.

- Volunteer Event at Library on 4/17, 6:30 p.m. – Councilor Dirksen will attend this event.
- Distribute information on Multnomah County PUD (See Agenda Item 8)
- City Lobby Day at the Capitol – 4/29, 7:30 a.m. Information distributed.
- Tour of City facilities – discussion on this item postponed.
- Public participation regarding the Street Maintenance Fee Public Hearing scheduled for the April 22 meeting – Consensus was that testimony will be limited to five minutes per person. Councilor Dirksen will advise a citizen, who had requested to testify for 20 minutes, about the time limitation.

11. EXECUTIVE SESSION: Not held

12. ADJOURNMENT: 10:02 p.m.

Attest:

Catherine Wheatley, City Recorder

Mayor, City of Tigard

Date: _____

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AGENDA ITEM # _____
FOR AGENDA OF May 13, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Receive and File the Annual Solid Waste Financial Report Findings

PREPARED BY: Tom Imdieke DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Tigard Municipal Code requires that the City Manager prepare a report to the Council on the solid waste franchisee financial reports and propose rate adjustments, if needed.

STAFF RECOMMENDATION

No rate adjustment is necessary at this time based on the review of the annual reports for calendar year 2002.

INFORMATION SUMMARY

The annual solid waste financial reports have been submitted by the franchised solid waste haulers in the City of Tigard for calendar year 2002. The two haulers that hold franchises in the City are Pride Disposal and Miller's Sanitary (Waste Management). An aggregate report summarizing the data is attached to this summary. The aggregate rate of return for the haulers was calculated to be 8.68%. This rate falls within the acceptable range established by the Council of 8% to 12%.

OTHER ALTERNATIVES CONSIDERED

No alternatives available, this report is required by the Tigard Municipal Code.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Does not apply.

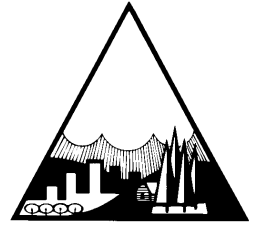
ATTACHMENT LIST

Aggregate franchise hauler financial report and explanatory cover letter.

FISCAL NOTES

None

MEMORANDUM



TO: Bill Monahan, City Manager

FROM: Tom Imdieke, Financial Operations Manager

RE: Solid Waste Financial Annual Report for 2002

DATE: April 11, 2003

As required by Tigard Municipal Code (TMC) 11.04.090, the two franchised solid waste haulers in the City of Tigard service area have submitted their annual financial reports for the year ending December 31, 2002. The TMC also requires the City Manager to prepare a report to the Council on the franchisee reports and recommend any rate adjustments that might be required based on the review and analysis of the reports.

I have reviewed the annual financial reports and prepared an aggregate report that is attached. The aggregate rate of return for the haulers was calculated to be 8.68%. The Council's policy on allowable rate of return provides for rate adjustments if the aggregate profit rate falls below 8% or is over 12%. Based on this policy and the calculated return of 8.68% for the calendar year 2002, a rate adjustment would not be required at this time.

I will also be preparing and submitting a Council agenda item for them to receive and file this report for their business meeting on May 13, 2003.

cc: Craig Prosser
Michelle Wareing

City of Tigard
Franchised Solid Waste Haulers Financial Reports
For Year ended December 31, 2002
(Aggregate Report)

	Calendar Year 2002	Direct Labor Hours	Indirect Cost
Drop Boxes			\$1,137,094
Operating Revenue	\$1,825,494		
Operating Costs	2,260,574	13,081	\$350,157
Net Income	<u>(\$435,080)</u>		
	-23.83%		
Can/Cart Services			
Operating Revenue			
Residential	\$2,575,025		
Multi-Family	0		
Commercial	123,169		
Operating Costs	1,430,009	9,099	\$243,565
Net Income	<u>\$1,268,185</u>		
	47.00%		
Container Services			
Operating Revenue			
Residential	\$23,175		
Multi-Family	578,213		
Commercial	2,370,374		
Operating Costs	1,818,373	8,215	\$219,902
Net Income	<u>\$1,153,389</u>		
	38.81%		
Recycling Services			
Operating Revenue			
Bin/Cart Recycling	\$47,333		
Container Recycling	99,610		
Operating Costs	1,081,935	8,135	\$217,761
Net Income	<u>(934,992)</u>		
Yard Debris			
Operating Revenue	\$7,133		
Operating Costs	405,276	3,949	\$105,708
Net Income	<u>(\$398,143)</u>		
	-5582%		
Medical Waste			
Operating Revenue	\$1,601		
Operating Costs	0	0	\$0
Net Income	<u>\$1,601</u>		
	100%		
Consolidated Net Income	\$654,960		
Other Revenue	9,986		
Other Costs	0		
Grand Total Net Income	<u>\$664,946</u>		
Total Revenues	\$7,661,113	42,479	\$1,137,094
Profit Percentage	<u>8.68%</u>		

AGENDA ITEM # _____
FOR AGENDA OF _____

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE: FY 2003 State Domestic Preparedness Equipment Grant

PREPARED BY: Ofc. Dennis J. Dirren DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

This is an information only presentation of the FY 2003 Domestic Preparedness Grant that has been compiled and submitted to the State of Oregon to receive funding for HAZMAT/Weapons of Mass Destruction response equipment.

STAFF RECOMMENDATION

INFORMATION SUMMARY

This is the FY 2003 State Preparedness Grant that was sent out to agencies and received during the week of April 25th. The deadline for the application was May 5th and therefore a very short timeline was presented in order to complete the grant. Fortunately, Randall Funding Inc. was able to assist with the preparation of the grant, however, because of the shortened timeline, proper City of Tigard grant procedures were not able to be followed for pre-authorization/approval from City Council.

Attached is the final copy of the completed grant application. This grant allows agencies to request funding for proper HAZMAT and Weapons of Mass Destruction (WMD) response equipment so that officers will be able to safely and properly respond to any such incident. Items requested by Tigard Police Department are included in the Washington County Needs Assessment that has been compiled by the Oregon Office of Emergency Management. The funding request is also consistent with a coordinated statewide needs assessment, and therefore multi-agency response is possible.

Complete details regarding equipment requested and justification are included within the grant application.

OTHER ALTERNATIVES CONSIDERED

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

ATTACHMENT LIST

1. Grant Cover Sheet
2. Grant Program Narrative

FISCAL NOTES

Total federal funds requested = \$43,244.13. There is no local match required for this grant. Detailed listing of budgeted items to purchase is included in the attached Grant Narrative.

**FY 2003
STATE DOMESTIC PREPAREDNESS EQUIPMENT GRANT
COVER SHEET**

Program Title: FY 2003 Domestic Preparedness Equipment Grant

Grantee Agency: Tigard Police Department

Collaborating Agencies: None (Needs Assessment via Washington County)

Federal Funds Requested: \$43,244.13

Program Start Date: July 1, 2003

Program End Date: September 30, 2004

Program Agency: Tigard Police Department
13125 SW Hall Blvd
Tigard, OR 97223

(503) 639-6168

Program Director: Chief Bill Dickinson / ChiefBill@ci.tigard.or.us
(503) 718-2572 office / (503) 670-1561 fax

Program Contact: Officer Dennis Dirren / 28944@ci.tigard.or.us
(503) 718-2556 office / (503) 684-5654 fax

Fiscal Contact: Roger Dawes / Roger@ci.tigard.or.us
(503) 718-2493 office

Program Agency Federal
Tax Identification Number: 93-0503940

Authorized Official for the
Program Agency: Bill Monahan, City Manager

Signature of
Authorized Official:

PROGRAM NARRATIVE

Part One: Coordination with Statewide Needs Assessment

Washington County's terrorism needs assessment was completed by a multi-agency, multi-discipline team of public safety and public health personnel and was reviewed by the county's Anti-Terrorism Advisory Committee and public safety agency heads. The team, or elements of the team, met over the course of a year to identify the county's threats and vulnerabilities, assess its public health preparedness, and determine its first responder equipment, training, exercise, and technical assistance needs. The results of the team's efforts were submitted to the state Office of Emergency Management for entry into the statewide needs assessment database.

Several members of the county team were also participants in development of the Portland Metropolitan Medical Response System (MMRS) Plan and one member of the team represented Regional HAZMAT Team number 9. Together, these members provided critical input into the county's needs assessment process. More importantly, they ensured consistency between the county's needs assessment and the weapons of mass destruction (WMD) equipment standards and response protocols being adopted by the regional HAZMAT teams and the MMRS.

The original team members were joined by hospital, technical rescue, and public safety communications representatives to complete the FY02-03 update of the needs assessment. The team make-up was expanded to include participation from organizations and disciplines that became eligible for grant funding under the federal FY02 or FY03 grant programs. Several of the new team members provided critical linkages between the Washington County effort and

other regional and statewide initiatives. For example, several of the hospital representatives also participated in the development of hospital equipment standards with the Portland Metropolitan Hospital Emergency Management Committee and the technical rescue representatives also chaired a task force working to create a statewide technical rescue capability. The teams' public safety communications representatives were also involved in regional communications planning efforts with the 9-1-1 centers in Multnomah, Clackamas, and Clark counties.

As a team, this group reviewed and updated the original needs assessment and developed countywide standards for the newly eligible equipment. The process was expedited to ensure completion of the needs assessment in time for local agencies to use it as a basis for seeking funds under both the FY 02 and FY 03 grant programs.

Taken in total, the Washington County terrorism needs assessment reflects a coordinated and integrated local and regional approach to WMD response. All public safety and public health agencies as well as public and private hospitals must be involved and all must operate in new and more challenging ways than has been expected in past emergency response operations. While reflecting an integrated response, the needs assessment nonetheless identifies a number of gaps in the ability of the county's first responders to perform specific WMD operations. These gaps include:

- Personal protective equipment (PPE) for designated law enforcement, fire, public health, public works, and hospital personnel;
- Communications equipment to enhance interoperability and support system and individual needs;

- Chemical, biological, and radiological detection equipment for all agencies;
- Mass decontamination equipment for all agencies;
- Self decontamination supplies (i.e., auto injectors) for personnel exposed to certain chemical agents;
- Search and rescue equipment and supplies for the county's fire service agencies;
- Bomb diagnostics and mitigation equipment for law enforcement agencies;
- Vehicles and trailers to store and transport WMD equipment and supplies and to provide suitable facilities for on-scene incident management;
- Medical supplies and pharmaceuticals for local hospitals;
- Security enhancement equipment for the county's critical facilities;
- Terrorism incident prevention equipment for the county's law enforcement agencies;
- Logistics support equipment to assist all eligible organizations with conduct of their identified WMD responsibilities; and
- Reference materials to enhance first responder effectiveness.

The Washington County terrorism needs assessment outlines a countywide approach to closing these gaps through the following actions:

- Provision of appropriate PPE to designated first responders and hospital personnel to deal with likely chemical, biological, radiological, and explosive incidents within the county;
- Provision of individual radiological dosimeters to appropriate first responders and hospital personnel and placement of dosimeter chargers at all of the county's first response agencies and hospitals;

- Placement (pre-positioning) of mass and self decontamination equipment and supplies and chemical, biological, and radiological detection equipment at fire agencies and hospitals throughout the county;
- Expanding the reach, survivability, and capacity of the public safety communications system;
- Enhancing the communications capabilities of the county's hospitals;
- Placement (pre-positioning) of search and rescue equipment and supplies at fire agencies throughout the county;
- Placement of bomb diagnostics and mitigation tools at law enforcement agencies throughout the county;
- Stockpiling of medical supplies and pharmaceuticals at county hospitals;
- Hardening of critical facility security systems;
- Ensuring the mobility of all stockpiled supplies for mutual aid response; and
- Improving the incident management skills and capabilities of the county's first response and hospital personnel.

To meet one of the needs outlined in the county-wide needs assessment, the Tigard Police Department is requesting funding to purchase personal protective equipment for all its police officers.

Part Two: Identification of Equipment Needs

- A. *Briefly identify the equipment and/or supplies being requested and identify the specific staff/position, function, or facility within your agency that will receive the equipment and/or supplies.*

The City of Tigard has 56 sworn officers, all of whom will receive the following personal protective equipment:

Personal Protective Equipment – Level C

- MSA Advantage 1000 gas mask with standard cartridge
- Replacement filter cartridge for MSA advantage mask
- Tyvek chemical resistant coveralls with hood & boots
- Chemical resistant tape “Chem-Tape”
- Chemical protectant Butyl gloves
- Nitrile disposable gloves
- 3M N95 particulate respirator with valve

CBRNE Logistical Support Equipment

- HAZMAT heavy-duty nylon gear bag

The Tigard Police Department has 6 patrol supervisors (Sergeants) with 2 supervisory vehicles which will include the following equipment:

- Dynavox Mega-phone (bull horn) with detachable microphone
- Bushnell weatherproof spotting scope (HAZMAT identification)

All 56 sworn personnel will receive the following equipment as well:

Detection Equipment

- M9 Chemical Detection Card for first responders

Explosive Devise Mitigation and Remediation

- Second Chance Level IIIA ballistic threat helmet with face shield

The personal protective equipment, ballistic helmets, and detection equipment will be available to each officer, in the trunk of his or her patrol vehicle, to be used in case of biological, chemical or similar WMD response.

B. *Provide a brief justification for the equipment/supplies being requested.*

The Tigard Police Department does not currently own the equipment being requested under this grant. With the purchase of this equipment the department will greatly increase officer's safety and protection and it will also increase the safe extraction of victims during an incident. Currently, if a chemical or a biological emergency were to present it-self, the department would not have the capacity to respond to such an emergency without putting officers at risk. With the use of the above-mentioned equipment, the department will be able to improve the chances of individuals' survival by being able to quickly respond to life-threatening situations. All officers will be trained in the use of the requested equipment.

C. *Describe how the requested material will be available for use during a regional or mutual aid response and how your agency will ensure purchased equipment will be interoperable with those of other agencies.*

With the exception of those materials that become a permanent part of a facility or non-portable system or are specific to a particular individual, all of the equipment and supplies requested in this grant will be made available for use during a local or regional event. All of the materials included in the grant request were identified during the countywide needs assessment process and much of the material was intended to be pre-positioned around the county for local and regional use. Throughout the needs assessment process, an integrated and interoperable approach was taken in the

consideration of all equipment categories. The needs assessment team not only ensured compatibility within the county, but it also pursued compatibility with regional hospitals, regional HAZMAT teams, regional public safety communication providers, statewide technical rescue efforts, and the Metropolitan Medical Response System.

Part Three: Identification of Current Capabilities

A. Equipment and supplies the agency has already acquired to respond to a CBRNE incident.

The Tigard Police Department does not currently own any CBRNE incident equipment. With the purchase of this equipment the department will greatly increase officers' safety and protection and also increase the safe extraction of victims during an emergency.

B. Training agency personnel has received to respond to a CBRNE event.

Very limited WMD training has been available for the county's first response agencies and hospitals. Some training has been provided by SBCCOM (formerly CBDCOM) [fire, law enforcement, HAZMAT], Texas A&M [public works], DPSST [fire, law enforcement, HAZMAT], and the state Office of Emergency Management [senior officials], but only limited numbers of agency employees were invited or able to attend. However, significant training on use of the incident command system in the field and in emergency operations centers has been provided. Within the Tigard Police Department, one sergeant has attended the WMD Law Enforcement Protective Measures training course offered by the Center for Domestic Preparedness. The goal of the Tigard Police Department is to have the remaining six sergeants attend this training course within this year.

C. Any CBRNE exercises the agency has conducted or participated in.

Several of the county's public safety agencies and hospitals participated in exercises hosted by the city of Portland. Those exercises included a full-scale exercise focused on a chemical incident at the Expo Center, a tabletop exercise focused on a biological incident at the Rose Garden, and a full-scale exercise focused on an explosion and chemical incident at the Convention Center. Members of the county's Anti-Terrorism Advisory Committee also conducted a small tabletop exercise that worked through management of two possible biological scenarios. In addition, a large, multi-agency tabletop exercise was conducted to discuss response to a school shooting incident and a series of tabletop exercises for the county's fire, law enforcement, public works, and public safety communications staffs were conducted to focus on use of the incident command system. The Tigard Police Department participated in the tabletop exercise in response to a school-shooting incident.

D. Incident or Unified Command System availability.

All of the county's first response agencies and hospital staffs are trained in the Incident Command System (ICS) and the concept of unified command and use them when responding to multi-agency incidents.

Part Four: Goals, Objectives and Performance Measures

Goal 1: To enhance police officers preparedness in responding to terrorist-related incidents and threats.

Objective 1: Procure equipment and train all users on the appropriate use and maintenance of the equipment.

Performance Measure: 100 percent of sworn officers receive the equipment provided under the grant fund.

Goal 2: Assist fire and hospitals with mass decontamination efforts during biological or chemical incidents.

Objective 2: Purchase necessary equipment and train all users on the appropriate use and maintenance of the equipment.

Performance Measure: 100 percent of sworn officer receive the necessary equipment.

Part Five: Implementation and Evaluation Plan

The Tigard Police Department proposes to improve the ability of police officers response to acts of terrorism. Under the management of Officer Dennis J. Dirren the program will accomplish the following tasks:

Task	Year One Month											
	1	2	3	4	5	6	7	8	9	10	11	12
1. Inform the city of the grant award and begin detailed implementation planning.	X											
2. Purchase equipment		X	X									
3. Provide Training on the proper use of the equipment (on a continues basis)				X	X							
4. Drill exercises (on a continues basis)					X	X						
4. Collect data for project evaluation						X	X	X	X			
5. Analyze project data										X		
6. Complete Evaluation Report											X	
6. Provide a copy of project evaluation to funder												X

Management of the project evaluation process will be the responsibility of Officer Dennis J. Dirren, training and accreditation coordinator. Success will be accomplished with step-by-step measurement on the department's effectiveness in meeting the established goals.

Each officer will receive training on the appropriate use of the protective equipment. After the training is completed drill exercises will be conducted to test officers effective use of the equipment.

The evaluation process will track the achievement of milestones, within six months, and review each step of the implementation plan with the project staff. The success of this project will be measured through the evaluation of the following factors:

1. Was the equipment purchased within the time outlined?
2. Have all the officers received the appropriate training?
3. Was the training completed with-in the time established?
4. Have the drill exercises demonstrated that 100 percent of officers know how to properly use the equipment?

The evaluation report will integrate the findings of the program and summarize the project performance.

Part Six: Identification of Available Funds and Equipment

A. Other federal grants or state or local funds currently earmarked for agency use to purchase CBRNE equipment and/or supplies.

MMRS funds are being used by the city of Portland to purchase some communications and personal protective equipment as well as some pharmaceutical supplies. Most of this

material is being distributed to and maintained by regional HAZMAT teams in the Portland metropolitan area. The MMRS program is also purchasing two mass decontamination trailers that will be pre-positioned for use in the region.

Grant funds from the CDC and HRSA are being made available to public health agencies and hospitals. However, all funds thus far have been dedicated to planning or vaccination activities. In the future, grants may become available for the purchase of WMD equipment and training.

B. Equipment available that may be used to respond to acts of terrorism involving CBRNE.

As previously mentioned the Tigard Police Department does not own any of the equipment being requested under this grant. Additionally, the department does not currently own any equipment that can be used to respond to acts of terrorism involving CBRNE. Under a mutual aid agreement, Tualatin Valley Fire and Rescue is able to assist the Police Department with only basic equipment such as protective gloves and with decontamination procedures when necessary.

C. Other grant programs you are applying for to obtain CBRNE equipment, training, exercises or technical assistance.

The Tigard Police Department intends to apply for FY02 State Domestic Preparedness Equipment Program on June 13, 2003, to acquire the additional equipment the department needs to be ready for any biological or chemical incident.

Part Seven: Budget

Personal Protective Equipment – Level C

(60)	MSA Advantage 1000 gas mask w/ standard cartridge \$209.99/ea	\$12,599.40
(60)	Replacement filter cartridges for MSA Advantage mask \$39.99/ea	\$2,399.40
(75)	Tyvek chemical resistant coveralls w/ hood & boots \$114.99/25 in case	\$344.97
(72)	Chemical resistant tape “Chem-Tape” \$19.80/24 rolls	\$59.40
(60)	Chemical protectant Butyl gloves \$29.99/pair	\$1,799.40
(100)	Nitrile disposable gloves \$13.41/box of 50	\$26.82
(60)	3M N95 particulate respirator w/ valve \$13.99/box of 10	\$83.94

CBRNE Logistical Support Equipment

(60)	HAZMAT heavy-duty nylon gear bag (15.75H x 18.5W x 11.5D) \$49.99/ea	\$2,999.40
(2)	Dynavox Mega-phone (bull horn) w/ detachable mic \$177.30/ea	\$354.60
(2)	Bushnell weatherproof spotting scope (HAZMAT identification) \$189.00/ea	\$378.00

Detection Equipment

(60)	M9 Chemical Detection Card for first responders \$15.00/ea	\$900.00
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Explosive Device Mitigation and Remediation

(60)	Second Chance Level IIIA ballistic threat helmet w/ face shield \$354.98/ea	\$21,298.80
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TOTAL FUNDS REQUESTED:	\$43,244.13
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The Tigard Police Department will be the recipient of the equipment that will be purchased with the grant funds. Additionally, the Police Department is prepared to provide initial and on-going training on the proper use of the equipment and to provide maintenance of the equipment.

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Transportation and Growth Management (TGM) Grant Application Submittal

PREPARED BY: Barbara Shields DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should Council approve a resolution endorsing the submittal of a Transportation and Growth Management (TGM) Grant Application for preparing a Downtown Redevelopment Plan?

STAFF RECOMMENDATION

Approve the attached resolution authorizing submittal of the application (Attachment 1).

INFORMATION SUMMARY

In November 2002, City Council established the Downtown Task Force and assigned it three objectives: 1) work closely with Washington County and Tri-Met to influence the Commuter Rail station design; 2) examine Downtown pedestrian and vehicular circulation improvements; and 3) develop a work plan to address revitalization and economic development needs in Downtown. With the completion of the station design document in March 2003, the Task Force is now ready to focus on the revitalization component.

At its April 15, 2003, meeting, the City Council reviewed the general revitalization strategy, which involves preparation of a Downtown Revitalization/Redevelopment Plan. The revitalization plan will (1) develop strategies for infill and redevelopment in the Downtown and (2) identify key infrastructure improvements as Downtown revitalization catalysts. This phase would involve a possibility of a Transportation and Growth Management (TGM) grant to prepare a revitalization plan.

The Transportation and Growth Management (TGM) Program is a partnership between two state agencies: the Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD). TGM provides funding for local government planning projects that lead to more livable, economically vital, transportation-efficient, pedestrian-friendly communities. Funds reimburse local governments for staff time and/or consultant work, plus other costs. For the 2003-2005 biennium, a local cash match of 15 percent or more may be required. Match for TGM projects is currently provided by general funds included in the DLCD budget. While the Governor's proposed budget includes match funding, final decisions about the TGM budget, including possible changes to match requirements, will be made by the 2003 Oregon Legislature.

Project funding is awarded on a competitive basis in each of the five ODOT regions.

The TGM application will request funds to hire a consultant to develop an economic analysis, alternatives for infill and redevelopment, and infrastructure programming.

City staff will provide data ("Existing Conditions Report"), review products, and perform support logistics to the consultant for workshops and advisory committee meetings. City staff will also take primary responsibility for presenting the plan for adoption, with the consultant in a support role.

The application is due May 23, 2003. The week of July 25th is the target date for announcing TGM awards. Between August 2003 and January 2004, TGM and local staff will negotiate a detailed statement of work and select consultants. If Tigard receives a TGM grant, Council will review the final scope of work and IGA between the State and the City to hire consultants and fulfill the TGM grant obligations.

The requested grant amount may be up to \$120,000 to pay for a consultant. The City expects to contribute approximately \$30,000- \$ 45,000 worth of staff time to the project. A "hard match" could be up to \$18,000 - \$20,000.

Communication/Public Outreach Plan and Process:

A detailed Communication/Public Outreach Plan will be developed as part of the final project scope of work and program, if the grant is awarded.

Typically, any preparation of a communication/public outreach plan involves two major steps:

- 1) Identification of stakeholders;
- 2) Development of public involvement process;
- 3) Anticipation of possible conflicts.

A general approach for a Tigard Downtown Redevelopment Plan is outlined in Attachment 2.

OTHER ALTERNATIVES CONSIDERED

Not applicable.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Community Character and Quality of Life/Central Business District Goal #1, Provide opportunities to work proactively with Tigard Central Business District Association (TCBDA) businesses and property owners and citizens of Tigard to set the course for the future of the Central Business District.

ATTACHMENT LIST

Attachment 1: Resolution of the Tigard City Council Supporting a Transportation and Growth Management Grant Application for State Assistance in Preparing a Downtown Revitalization Plan

Attachment 2: Tigard Downtown Redevelopment Plan: Communication and Public Outreach Plan General Approach

FISCAL NOTES

The requested grant amount may be up to \$120,000 to pay for a consultant. The City expects to contribute approximately \$30,000- \$ 45,000 worth of staff time to the project. A "hard match" could be up to \$18,000 - \$20,000.

CITY OF TIGARD, OREGON

RESOLUTION NO. 03-

A RESOLUTION OF THE TIGARD CITY COUNCIL SUPPORTING A TRANSPORTATION AND GROWTH MANAGEMENT GRANT APPLICATION FOR STATE ASSISTANCE IN PREPARING A DOWNTOWN REVITALIZATION PLAN .

WHEREAS, the Tigard City Council appointed the Downtown Task Force in November 2002; and

WHEREAS, Council assigned the Task Force three objectives, one of which tasked the group with developing a work plan to address revitalization and economic development needs in Downtown; and

WHEREAS, the development of a revitalization plan will require additional expertise and funding than the City can currently provide; and

WHEREAS, the State of Oregon's Transportation and Growth Management grant program provides funding for local government planning projects that lead to more livable, economically vital, transportation-efficient, pedestrian-friendly communities; and

WHEREAS, the preparation of the Downtown Revitalization Plan meets the criteria for an eligible TGM project; and

WHEREAS, the TGM program could provide up to \$120,000 in funds for selected projects, requiring up to 15% of hard match in local government funds,

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City of Tigard, Oregon hereby expresses its support for preparing a Downtown Revitalization Plan and authorizes submission of a Transportation and Growth Management Grant application for State funding assistance.

SECTION 2: The City is prepared to provide up to 15% in hard match for the project, and has reserved that amount in its budget for the following fiscal year.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2003.

Mayor - City of Tigard

ATTEST:

RESOLUTION NO. 03-

Tigard Downtown Redevelopment Plan: Communication and Public Outreach Plan General Approach

A detailed Communication/Public Outreach Plan will be developed as part of the final project scope of work and program, if the grant is awarded.

Typically, any preparation of a communication/public outreach plan involves three major steps:

- 1) Identification of stakeholders;
- 2) Development of public involvement process;
- 3) Anticipation of Possible Conflicts.

1. Identification of Stakeholders

Major stakeholders will be identified and involved from the beginning of the project through committees, open houses and workshops, and, if necessary, one-on-one meetings and focus group discussions. The Downtown Task Force, established by Council last fall, will be the key platform for stakeholder identification.

Committees: A Citizen Advisory Committee (CAC) and a Technical Advisory Committee (TAC) will be formed from the major stakeholder groups listed below.

Citizen Advisory Committee stakeholder groups:

- Property owners/business owners/residents of the project area;
- Neighborhood groups;
- Civic groups/Chamber of Commerce;
- Local elected officials (City, Washington County, TriMet).

Technical Advisory Committee stakeholders:

- City staff, including transportation, planning, and parks and recreation;
- TriMet staff;
- Washington County staff, including transportation and planning;
- ODOT staff, including Rails Division;
- Metro staff;
- Local utility providers.

2. Public Involvement Process

The public involvement process will include two early open houses intended to introduce the project and solicit ideas about the planning and design concepts. Two subsequent open houses will present the site specific concepts. It is anticipated that the consultant will lead all four open houses.

As detailed above, major stakeholders will be invited to serve on project committees. The CAC's ongoing role will be to review project information and to provide guidance to the staff and City Council on products, project direction, and

the draft plan. The TAC's role will be to provide early guidance and resolution of technical, policy, and regulatory issues. The Citizens Advisory Committee and Technical Advisory Committee will meet regularly throughout the project. We anticipate that the consultant will be required to attend up to six CAC and six TAC meetings. Where feasible, CAC and TAC meetings may be consolidated on the same day as other meetings or public events.

In addition to leading the major public events, we anticipate that the consultant will facilitate up to six one-on-one meetings with stakeholders or focus group discussions. Additionally, City staff will brief City Council at key points in the project.

3. Anticipation of Possible Conflicts

There may be three main sources of conflicts:

- Function and Design of the State Highways: Disagreement on the role of the State highways (Hwy 99W and Hall Blvd.) in this area versus local connectivity (Ash Street extension, Burnham design, pedestrian crossings, neighborhood connectivity); number of street connections and amount of property access that should be permitted; and street and right-of-way design issues.
- Property/Business Owner Issues: Support by property and business owners will be crucial. Conflicts may arise over their perception that the plan will or will not provide maximum economic value to their properties and businesses through its effects on such things as property access, changes in development potential, and the location of future streets.
- Environmental Issues: Potential impacts of the study area development on the Fanno Creek environment.

The project's proposed approach is designed to address such conflicts. It includes a variety of opportunities to encourage a thorough public and government agency dialogue—from Citizen and Technical Advisory Committees to focus groups and individual stakeholder meetings to larger public workshops.

AGENDA ITEM # _____
FOR AGENDA OF May 13, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Award of Contract for the Construction of Embedded Crosswalk Lighting System on Bonita Road (at Milton Court)

PREPARED BY: Vannie Nguyen DEPT HEAD OK: Agustin P. Duenas CITY MGR OK: Bill Monahan

ISSUE BEFORE THE COUNCIL

Shall the Local Contract Review Board approve the contract award for the construction of Embedded Crosswalk Lighting System on Bonita Road (at Milton Court)?

STAFF RECOMMENDATION

Staff recommends that the Local Contract Review Board, by motion, approve the contract award to **North Star Electrical Contractors** in the amount of **\$55,299.00**.

INFORMATION SUMMARY

In FY 1999-2000, the Capital Improvement Program proposed a pilot program to install embedded crosswalk lighting systems at several locations in the City. Since then, four crosswalk lighting systems have been installed at Walnut Street (at Grant Avenue), 121st Avenue (at Katherine/Lynn Street), 121st Avenue (at Springwood Drive) and Main Street (at existing bridge). Installation of crosswalk lighting systems at these locations has proved effective in protecting pedestrians from oncoming two-way traffic while crossing at the intersections.

This year's program includes installation of crosswalk lights at the Bonita Road/Milton Court intersection. This installation needs to be performed in conjunction with the development of Bonita Park located northwesterly of the intersection. The crosswalk lights should enhance safe crossing of Bonita Road at that intersection for those that wish to use the park.

The project was first advertised for bids on August 26, 2002. However, bids submitted at the bid opening were considerably high. In the Council meeting of September 24, 2002, the Local Contract Review Board rejected all bid proposals. This project was re-bid for the second time on April 8, 2003. The bid opening was conducted on April 22, 2003 and the bid results are:

North Star Electrical	Tualatin, OR	\$55,299.00
EC Company	Albany, OR	\$57,155.00
Tice Electric Company	Portland, OR	\$61,226.00
CivilWorks NW	Tualatin, OR	\$66,326.00
Engineer's Estimate		\$59,200

Based on the bids submitted, the lowest responsive bid of \$55,299.00 appears to be reasonable. Staff recommends approval of the contract award to North Star Electrical Contractors.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

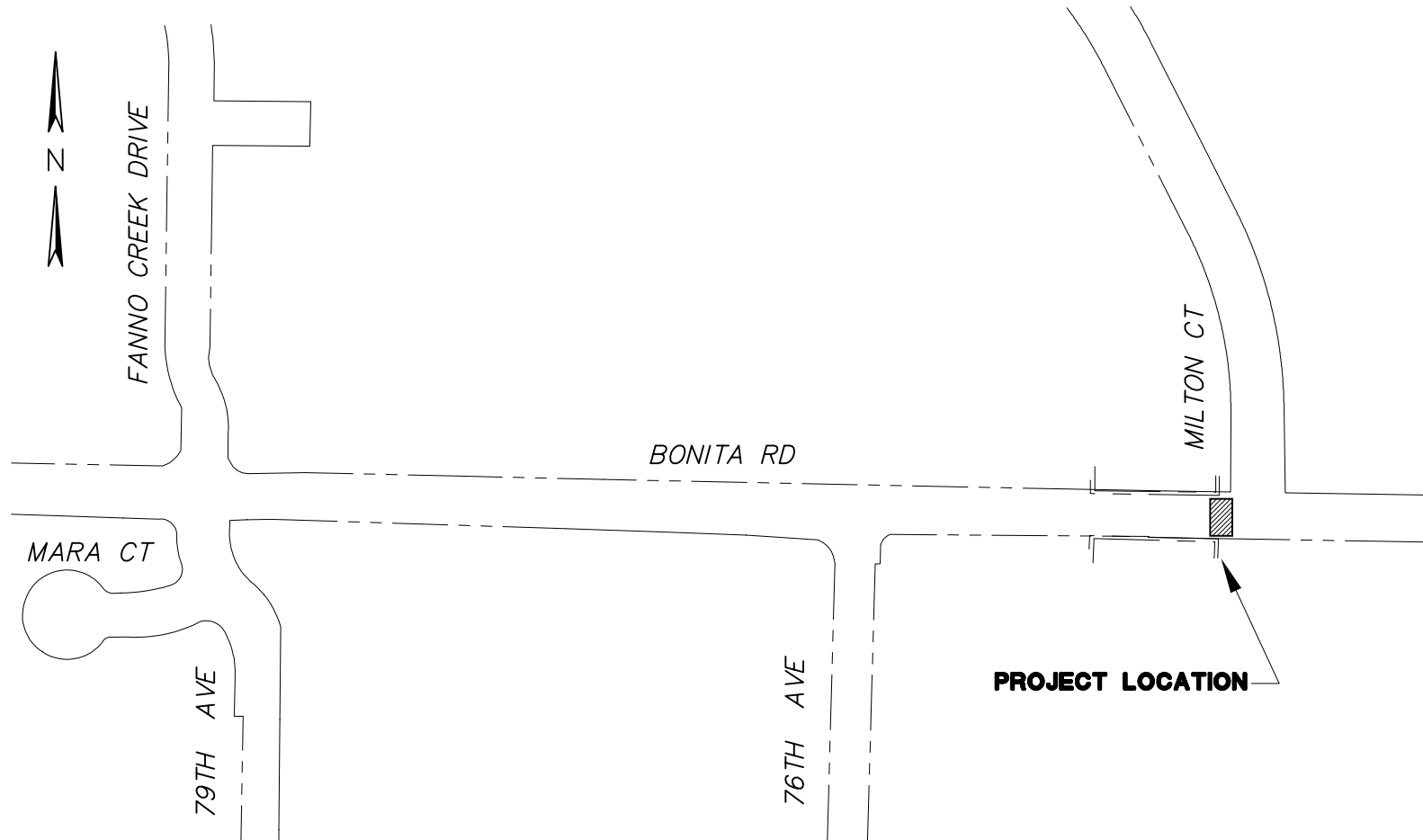
ATTACHMENT LIST

Project location map

FISCAL NOTES

This project is funded from the State Gas Tax fund in the amount of \$25,000 in the FY 2002-03 CIP under Embedded Crosswalk Lights supplemented by the amount of \$140,400 in the Park SDC for the Bonita Park project. These amounts are sufficient to award the contract of \$55,299.00 to North Star Electrical Contractors.

**BONITA ROAD
EMBEDDED CROSSWALK LIGHTING INTALLATION
AT MILTON COURT**



AGENDA ITEM # _____
FOR AGENDA OF May 13, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Award of Contract for Engineering Services – 550 Foot Reservoir #2 Design and Construction Management Services

PREPARED BY: Dennis Koellermeier DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Shall the Local Contract Review Board consider and award a contract to Murray, Smith & Associates, Inc. (MSA) to provide professional engineering services for the design and construction of the new 550 foot Reservoir #2, commonly referred to as the Rider School Reservoir?

STAFF RECOMMENDATION

Staff recommends authorizing staff to negotiate the final scope of work and contract and awarding this contract to MSA for an amount currently estimated to be \$268,355.

INFORMATION SUMMARY

Staff published a “Request for Qualifications ” in the Daily Journal of Commerce on January 10, 2003, requesting Statements of Qualifications from engineering firms interested in providing professional engineering services relating to water reservoir, pump station and transmission piping design and construction. That process qualified eight firms to submit proposals for the reservoir design portion of the project, but only seven firms presented proposals. The City created a proposal review team that included both in-house staff as well as the City Engineer from the City of Wilsonville. Three firms were short-listed and asked to make formal presentations to the selection committee. Those firms included:

CH2M Hill	\$631,571
Lee Engineering Inc.	\$495,178
MSA	\$268,355

Staff has evaluated each proposal based on pre-determined criteria, and concluded that that proposal from MSA presents the best combination of local experience, expertise, and approach for the price.

OTHER ALTERNATIVES CONSIDERED

1. Reject all proposals
2. Award the contract to another proposer
3. Give staff further direction

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Building identified water capital improvements is identified as a specifically listed strategy in the 2002 progress report of “Tigard Beyond Tomorrow”.

ATTACHMENT LIST

Memo from Brian Rager, Project Manager

- Phil Smith letter from MSA dated April 14, 2003

FISCAL NOTES

This group of projects currently budgeted for in the Water Fund and the Water CIP Fund. This group of projects is currently estimated to cost approximately \$9 million and will be financed via a water revenue bond sale currently scheduled for the fall of 2003

**MEMORANDUM
CITY OF TIGARD, OREGON**

DATE: April 15, 2003

TO: Dennis Koellermeier, Assistant Public Works Director

FROM: Brian Rager, Development Review Engineer

RE: 550 Foot Reservoir No. 2 Consultant

After further review of the proposals and discussion with references for both CH2M and MSA, I recommend that the City award the contract to MSA.

The following are comments I received from several references:

- Tahanni Al-Essa, Hillsboro Operations Manager: Indicated that they chose CH2M due to their need to have a fully designed reservoir up front to handle questions that came from a variety of players, including Intel. The City purchased some land from Intel.
- Gene Thomas, Sherwood: Indicated that they were very happy with MSA on the Kruger reservoir project and encountered no change orders related to the reservoir structure during construction. It was his opinion that when the contractor is required to provide the final design for the tank, the change order issue is resolved.
- Jadene Torrent Stensland, Newberg: Was involved in the consultant selection and noted that both KCM and CH2M were in the final running. Newberg specified in their RFP that they wanted a fully detailed design from the engineer. Their desire was to have “no surprises” during construction. They were worried that if hatch or piping locations change during construction, then the cost would be more (by going with the design/bid/build approach). She then gave me some price information that I thought was interesting. The Newberg RFP for their 4 MG reservoir called for a fully designed proposal. KCM still proposed a design/bid/build approach at a cost of \$436,664 (they did this because they felt it would save Newberg money in the long run); they noted that to go to a fully designed option would add \$52,000 to their price, which would bring their total cost up to \$488,664. CH2M's fully designed price was \$468,000.
- Lee Weislogel, TVWD: Left me a message this morning and indicated they had nothing negative to say about either MSA or CH2M. They have used both and were very happy with both consultants.

I also received a letter, dated April 14, 2003, from Phil Smith of MSA. He responded to my inquiry as to whether or not the design/bid/build approach could lead to more change orders during construction. I found his letter to be very informative and basically confirmed what I was told by Gene Thomas of Sherwood. They have not experienced any change orders during construction that related to the design of the reservoir structure.

Mr. Smith's letter also helped me to understand the design/bid/build approach a little better. The last paragraph on Page 2 indicates that MSA, in conjunction with the reservoir supplier/manufacturer, prepares a full reservoir design package that is put out to bid. We still wind up with a full design package at bid time. The contractors have to come back with a reservoir supplier/manufacturer design submittal for MSA review. I would take this as the "shop drawing" review. Any change to the reservoir structure design in order to comply with our detailed performance specification, would be solely bore by the contractor.

The CH2M price for the fully designed option is \$631,571. The MSA price for the design/bid/build option is \$268,355. The difference between the two is \$363,216. Based upon my understanding of the two approaches, I simply do not see the fully designed approach being worth an additional \$363,216. This is further bolstered by the price information I received from Jadene Stensland for the Newberg project.

Finally, MSA comes out on top for me with regard to overall points. Including the interview, their final point total came to 112.4. CH2M's final point total was 102.7.

Based upon what I believe is a fair evaluation of all the proposals, I recommend the City move toward awarding the design contract to MSA.

Please let me know if you have questions.



Murray, Smith & Associates, Inc.
Engineers/Planners

RECEIVED

APR 15 2003

CITY OF TIGARD

121 S.W. Salmon, Suite 900 • Portland, Oregon 97204-2920 • PHONE 503.225.9010 • FAX 503.225.9022

April 14, 2003

Mr. Brian Rager, P.E.
Engineering Manager
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

Re: 550 Foot Service Zone Reservoir No. 2, City of Tigard

Dear Brian:

This letter responds to our telephone discussion Friday regarding the hybrid design/bid/build approach recommended for the procurement of your reservoir in our proposal to you and the City dated March 31, 2003. We welcome your inquiry and are pleased to provide you additional information on this "tried and true" approach to reservoir structure procurement.

Your specific question is if such an approach might lead to more change orders as opposed to a "full design" approach. You specifically requested that we provide to you information on the original and final costs of prestressed concrete reservoirs which the firm has designed recently using the hybrid method with specific attention given to any changes related to the reservoir structure. We are pleased to do so.

A cost summary of the two most recently constructed prestressed concrete reservoirs designed by the firm and procured through the hybrid design/bid/build process are as follows:

3.0 MG Kruger Reservoir, City of Sherwood/Tualatin Valley Water District:

Original Contract Amount: \$2,234,505.80

Final Contract Amount: \$2,458,428.84

Total of All Change Orders: \$223,923.04 (Note: The Owner has undertaken through this construction contract extensive project-related off-site improvements to the City's pump stations and wells. The value of change orders on the facilities at the reservoir site is approximately \$10,000 or approximately 0.4% of the original contract amount.)

Construction Contractor: Ward-Henshaw Construction Co., Inc.

Reservoir System: DYK

Change Orders Related to Reservoir Structure Procurement Method: None

Project Complete

Mr. Brian Rager, P.E.
April 14, 2003
Page 2

3.5 MG Menlor Reservoir, City of Tigard
Original Contract Amount: \$3,372,682.15
Final Contract Amount: \$3,296,074.58
Total of All Change Orders: (-\$76,607.57)
Construction Contractor: Ward-Henshaw Construction Co., Inc.
Reservoir System: DYK
Change Orders Related to Reservoir Structure Procurement Method: None
Project Complete

The following project is currently under construction. The reservoir structure was procured utilizing the hybrid design/bid/build process.

1.0 MG Reservoir, City of Columbia City
Original Contract Amount: \$1,252,515
Construction Contractor: Skaar Construction, Inc.
Reservoir System: DYK
Project Under Construction

I have personally been involved with reservoir procurement and construction since the late 1970's and have successfully utilized the hybrid design/bid/build approach since that time both while with another firm and with MSA since 1980. The very first prestressed concrete reservoir with which I was personally involved was a 4.0 MG reservoir which I designed for the City of Newberg in 1978. This structure was procured in precisely the same manner as we are proposing for your reservoir. It was a very successful process 25 years ago and it still is today.

Your question suggests an implication that one would expect to have more opportunity for change orders with the hybrid design/bid/build process versus the "full design" approach. Through our experience in prestressed concrete reservoir design and construction, we have found that the hybrid design/bid build approach may actually reduce the likelihood for structure related change orders. As we discussed Friday, our approach provides for a thorough and rigorous design phase consultation and design process with the reservoir supplier/manufacturer to finalize all reservoir structural design and specification issues prior to the bidding process. The full reservoir design as prepared by the reservoir supplier/manufacturer and as reviewed and approved by MSA is included in the project plans and specifications package. After bidding and award, there is a required reservoir supplier/manufacturer design submittal which again is reviewed by our firm. Any change in the reservoir structure design that may be needed is the responsibility of the contractor and reservoir supplier/manufacturer, not the owner. Our experience has been that this approach virtually eliminates change order issues regarding the reservoir structure.

Mr. Brian Rager, P.E.
April 14, 2003
Page 3

MSA routinely utilizes the hybrid design/bid/build process very successfully on steel reservoir structures also. Our Statement of Qualifications notes some of these projects which have included all types and styles of steel reservoirs for clients which include the City of Portland Water Bureau, the Cities of West Linn, Oregon City, Fairview, and Gladstone and the Powell Valley Road Water District, Clackamas River Water, and the South Fork Water Board.

Brian, we appreciate this opportunity to provide this information to you. We would be happy to visit with you at your convenience if it would be helpful to you to further explore our recommended approach in detail. Please don't hesitate to call me at any time.

Sincerely,

MURRAY, SMITH & ASSOCIATES, INC.

A handwritten signature in cursive script, appearing to read "Philip H. Smith".

Philip H. Smith, P.E.
President

PHS:jld

AGENDA ITEM # _____
FOR AGENDA OF May 13, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Update on the New Tigard Library

PREPARED BY: Margaret Barnes DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Presentation by staff to update the City Council about the new library.

STAFF RECOMMENDATION

The purpose of this presentation is to communicate recent events and accomplishments related to the new Tigard Public Library.

INFORMATION SUMMARY

On May 21, 2002, Tigard voters passed a \$13 million bond measure for the construction of a new library of approximately 47,000 square feet. This amount will pay for land acquisition, the design, construction and furnishing of the new library, parking and related street improvements. The site of the new library is a 14.7-acre property located along Hall Boulevard near O'Mara Street.

Nearly a year after passage of the bond, the design is completed and construction is scheduled to begin in June. The project remains on schedule and within budget. At this meeting, staff will present final designs and floor plans as well as discuss other aspects of the project related to the site. Staff will also provide details about the groundbreaking ceremony on Saturday, May 17 at 10 a.m. and an update on fundraising efforts.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Goal #3: Adequate facilities are available for efficient delivery of life-long learning programs and services for all ages.

ATTACHMENT LIST

1. Set of PowerPoint Slides

FISCAL NOTES

N/A

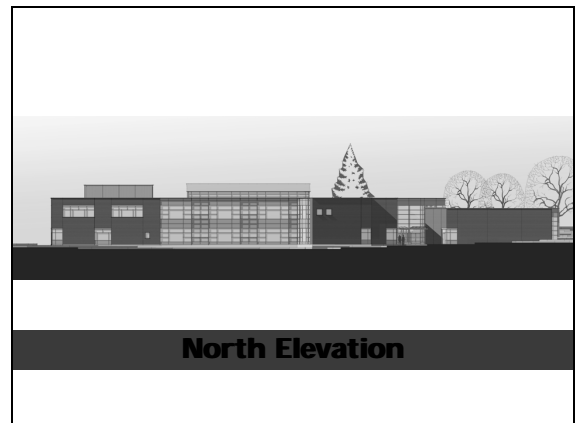
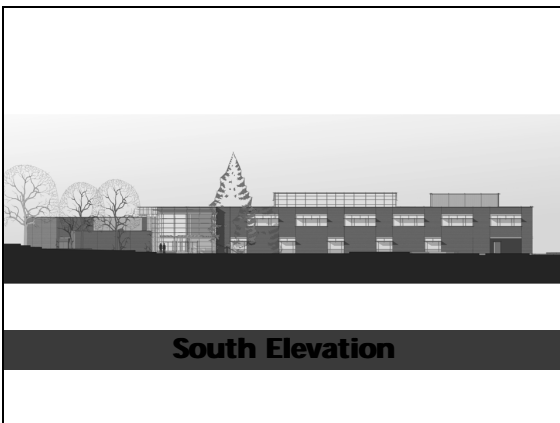
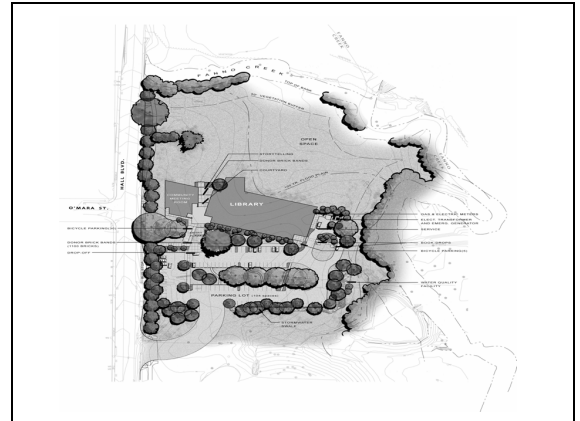
May 13, 2003

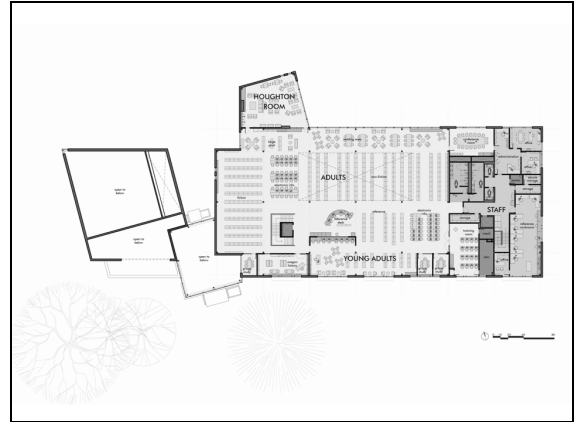
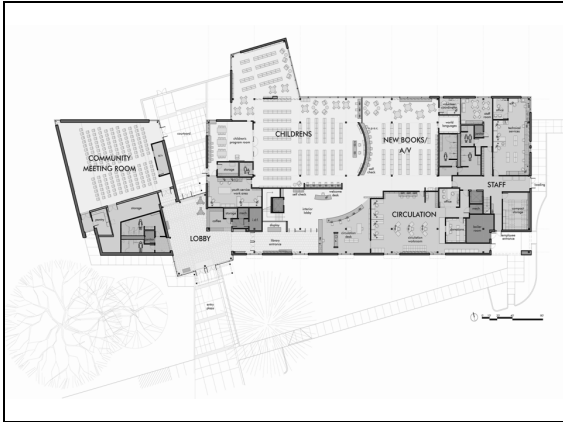
What's New on the New Library?



Groundbreaking!

- **Bring your own shovel!**
- **Take a virtual tour of new library!**
- **See where the Bricks for Books will be laid!**





For More Information on Library Project...

Contact:
paula@ci.tigard.or.us
503-684-6537, ext. 2508

**Or check out the
 New Library web pages at:
www.ci.tigard.or.us**



AGENDA ITEM # _____
FOR AGENDA OF May 13, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Community Assessment Program (CAP) Introduction and Overview

PREPARED BY: Liz Newton DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

An introduction and presentation on the Community Assessment Program (CAP).

STAFF RECOMMENDATION

Information item. No action necessary, however, Council may want to provide direction

INFORMATION SUMMARY

Over the past few years, the city has made significant progress to connect with our citizens. The results have been improved two way communication, a better understanding of how we deliver service and what services we provide. One of the Council's goals for 2003 is to "Improve and expand communication with citizens, particularly communicating successes and future concerns."

Building upon the improved connection with the public, and in light of the Council's goal to improve communications, a new program called the Community Assessment Program (CAP) was initiated on a trial basis in January. The program is aimed at validating that city employees and elected officials have a complete understanding of the existing conditions within the city on a neighborhood by neighborhood basis, and at ensuring that issues are addressed promptly, efficiently, and in an equitable manner.

Attached is a memo that outlines how the program works, the intended results, and a communication plan for the remainder of the fiscal year.

Several by-products of the program are important. One is the collaborative effort of city teams made up of representatives of several city departments. A second is an improved connection to the community. The third by-product will be the delineation of where the city is responsible for action, where private citizens are responsible and where together we can work to improve the ability to bring volunteer efforts together to address many issues.

In summary, the CAP is essentially community policing applied to the whole city by all departments.

OTHER ALTERNATIVES CONSIDERED

Suggest modifications to the program.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Community Character and Quality of Life Goal #1, Strategy #1 “Improve communication about all aspects of the City’s business.”

ATTACHMENT LIST

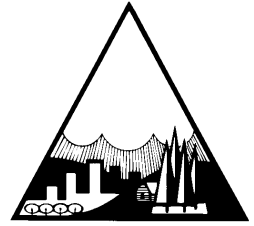
1. Memo from Liz Newton with attachments: Map
Schedule
CAP Summary Report
Assessment Report
Assessment Report Summary
Report to the Community
2. Communication Plan

FISCAL NOTES

The walks are conducted during employees’ regular work shifts on Wednesday afternoons. For purposes of calculating the fiscal resources involved, an average salary \$32.68 per hour is assumed. Generally, 7 employees participate in the two hour walk each week.

$$7 \text{ employees} \times \$32.68/\text{hour} \times 2 \text{ hours} = \$457.52 \text{ per week}$$

MEMORANDUM



TO: Honorable Mayor and City Council

FROM: Liz Newton, Assistant to the City Manager

RE: Introduction to the Community Assessment Program (CAP)

DATE: April 30, 2003

Introduction:

Over the past few years, the city has made significant progress to connect with our citizens. The results have been improved two way communication, a better understanding of how we deliver service and what services we provide. One of the Council's goals for 2003 is to "Improve and expand communication with citizens, particularly communicating successes and future concerns."

Building upon the improved connection with the public, and in light of the Council's goals to improve communications, a new program called the Community Assessment Program was initiated on a trial basis in January. The program is aimed at validating that city employees and elected officials have a complete understanding of the existing conditions within the city on a neighborhood by neighborhood basis, and at ensuring that issues are addressed promptly, efficiently, and in an equitable manner.

Program:

The assessment program is intended to bring work groups of city employees, across department lines, into each neighborhood in teams at least once a year so the neighborhood is the focus of an information gathering and issue identification effort. After the "light is shown" on the neighborhood through the collaborative team data gathering effort, corrective actions are scheduled, assignments made for follow-up, and an assessment report is developed first for departments and then to the neighborhoods.

In order to accomplish this task, the city was divided into 45 areas that generally correspond to the police department patrol grids (map attached). A schedule was developed so that each Wednesday afternoon, a team of employees covers a different area of the city. For purposes of scheduling, the city was divided into 5 geographic sections and then areas were randomly selected on a rotating basis. A copy of the schedule is attached.

Prior to the walk each week, departments assemble any available data about the area, and note any specific information to be collected or observations to be made on the walk. The data is compiled into a summary report that is distributed to the walkers two days before the walk (sample attached).

The team of walkers is comprised each week of usually one person from every department. Each week there is a team leader who provides general instructions to the group and emphasizes things to observe. Depending on the size and character of the area, the group may split into two teams or several teams of two. If the area is steep or there are large lots with little development and a lot of area to cover, the groups may conduct part of the “walk” in a car. If the area consists of light density housing or commercial development, the walkers may split the area so that different teams cover different parts of the area. The walks generally take about two hours.

After the walk is completed, the team members submit their comments. An assessment report and an assessment report summary are prepared. The assessment report ties the comments made by the walkers to specific locations and assigns initial follow-up responsibility to specific departments or individuals. This document is where departments record and update follow-up actions taken. The assessment report summary is prepared for the Exec Staff members to highlight generally what is observed in each area and generally the kind of follow-up actions needed. A sample of those reports is attached.

Walks have been conducted in 10 areas of the city and staff has just completed an evaluation of the program. Based on the comments of walkers and the Exec Staff, some changes have been made primarily to the walker guidelines and due dates for report information.

As the next step in the process, staff has developed a format for a report to the community (copy attached). This report will be issued within 30 days of the walk, ideally to a community connector, posted on the web, and summarized in the Cityscape. In order to further expand communication on the program, staff also proposes to publicize the CAP schedule and set-up an email account for citizens to submit comments, suggestions or questions.

Intended Results

Several by-products of the program are important. One is the collaborative effort of city teams made up of representatives of several city departments. Employees will gain a better understanding of city responsibilities, how to address problems and recognize that together as a workforce of 260 strong can produce a better community by all being eyes, ears and hands for the community.

A second by-product is an improved connection to the community. This can be achieved with the identification of one or more persons in each CAP area to be responsible as the city’s point of contact, reliable communicator, and resource person. Also, while on the walks, there have been numerous occasions of citizens stopping walkers to talk, ask questions, and raise concerns.

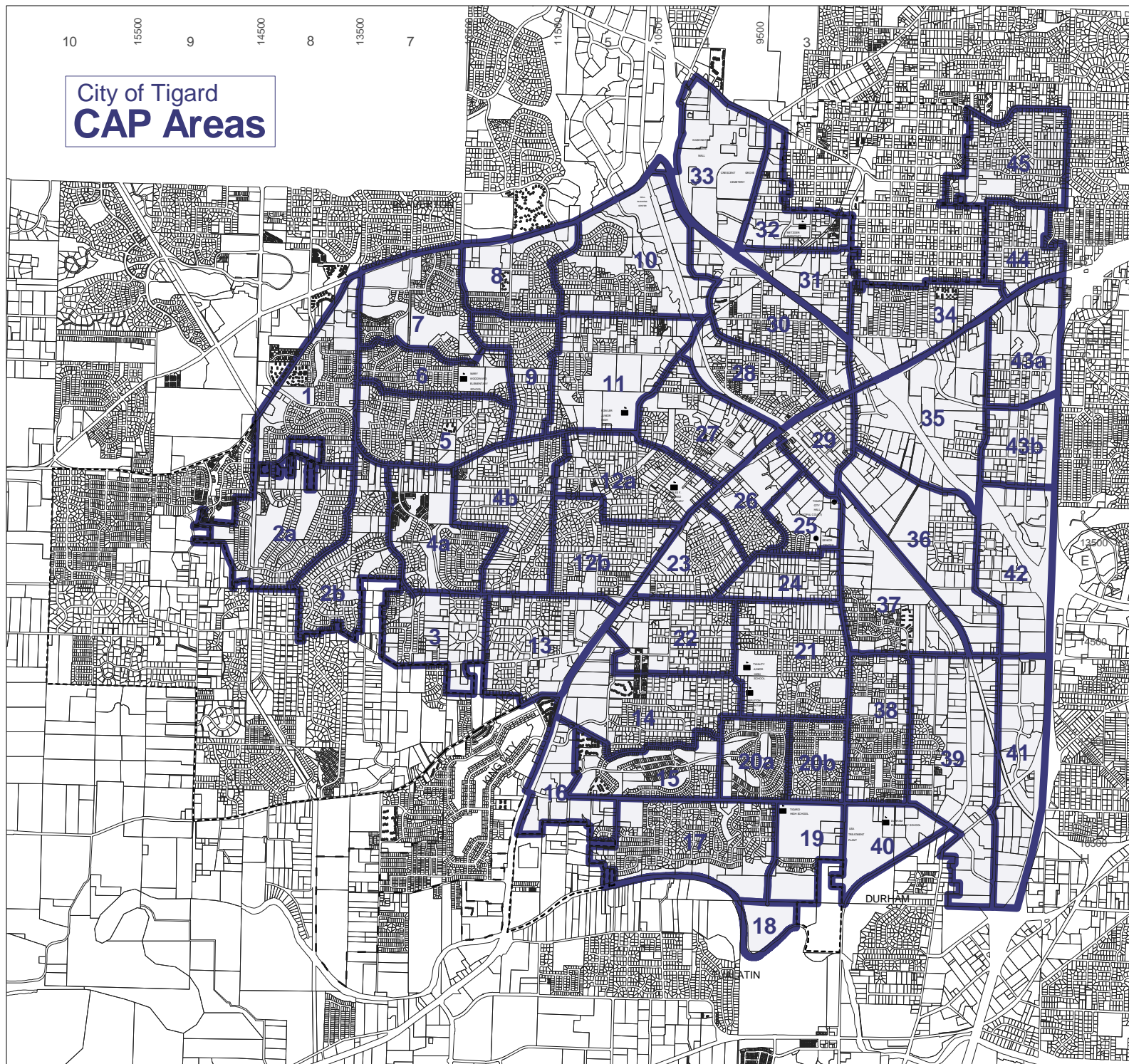
The third by-product of the program will be the identification and delineation of where the city is responsible for action, where private citizens are responsible and where together we can walk to improve the community.

Finally, we have the ability to bring volunteer efforts together to address many issues.

In summary, the CAP program is essentially community policing applied to the whole city by all city departments. It is an effort to have city employees more aware of what is happening in the community, more ownership in the results of our actions and decisions, and prompter action to address issues. The public will benefit, the community will continue to improve, and the citizens will better recognize and acknowledge the quality of city service, the limitations we have and how as partners, citizens and city employees can accomplish more.

10 15500 9 14500 8 13500 7

City of Tigard CAP Areas



CITY of TIGARD
GEOGRAPHIC INFORMATION SYSTEM

 CAP Areas



0 1000 2000 3000 4000 5000 Feet

1"= 3600 feet



Information on this map is for general location only and should be verified with the Development Services Division.
13125 SW Hall Blvd
Tigard, OR 97223
(503) 639-4171
<http://www.ci.tigard.or.us>

CAP area assignments by quarter (Updated 1/30/03)

(After each quarter, we will confirm the next quarter assignments)

		date packet materials	Walk area - Wed	Team leader for walk	comments due to Julia by 5:00 on:
Area		on:	afternoons		
Quarter #1					
	8	16-Jan	22-Jan	PD	24-Jan
	28	23-Jan	29-Jan	PW	31-Jan
	17	30-Jan	5-Feb	Eng	7-Feb
	4	6-Feb	12-Feb	CD	14-Feb
	43	13-Feb	19-Feb	Fin	21-Feb
	26	20-Feb	26-Feb	PD	28-Feb
	21	27-Feb	5-Mar	PW	7-Mar
	7	6-Mar	12-Mar	Eng	14-Mar
	42	13-Mar	19-Mar	CD	21-Mar
	34	20-Mar	26-Mar	Fin	28-Mar
	11	27-Mar	2-Apr	PD	4-Apr
31-Mar	catch up/assess				
Quarter #2					
	22	10-Apr	16-Apr	PW	18-Apr
	2a	17-Apr	23-Apr	Eng	25-Apr
	2b	24-Apr	30-Apr	CD	2-May
	33	1-May	7-May	Fin	9-May
	9	8-May	14-May	PD	16-May
	18,19 and 40	15-May	21-May	PW	23-May
	13	22-May	28-May	Eng	30-May
	39	29-May	4-Jun	CD	6-Jun
	32 and 31	5-Jun	11-Jun	Fin	13-Jun
	23	12-Jun	18-Jun	PD	20-Jun
	14	19-Jun	25-Jun	PW	27-Jun
23-Jun	catch up/assess				
30-Jun	catch up/assess				
Quarter #3					
	12a	10-Jul	16-Jul	Eng	18-Jul
	12b	17-Jul	23-Jul	CD	25-Jul
	45	24-Jul	30-Jul	Fin	1-Aug
	27	31-Jul	6-Aug	PD	8-Aug
	20a	7-Aug	13-Aug	PW	15-Aug
	20b	14-Aug	20-Aug	Eng	22-Aug
	35	21-Aug	27-Aug	CD	29-Aug
	30	28-Aug	3-Sep	Fin	5-Sep
	25 and 29	4-Sep	10-Sep	PD	12-Sep
	38	11-Sep	17-Sep	PW	19-Sep
	1a	18-Sep	24-Sep	Eng	26-Sep
	1b	25-Sep	1-Oct	CD	3-Oct
29-Sep	catch up/assess				
Quarter #4					
	5	9-Oct	15-Oct	Fin	17-Oct
	36	16-Oct	22-Oct	PD	24-Oct
	15	23-Oct	29-Oct	PW	31-Oct
	6	30-Oct	5-Nov	Eng	7-Nov
	37	6-Nov	12-Nov	CD	14-Nov
	44	13-Nov	19-Nov	Fin	21-Nov
	16	20-Nov	26-Nov	PD	28-Nov
	3	27-Nov	3-Dec	PW	5-Dec
	10	4-Dec	10-Dec	Eng	12-Dec
	24	11-Dec	17-Dec	CD	19-Dec
	41	18-Dec	24-Dec	Fin	26-Dec
22-Dec	catch up/assess				
29-Dec	catch up/assess				

Summary of packet materials for Area 22 (Area to be walked on April 16, 2003)

Team Leader: Mark Luberts/ Public Works

When you walk, take note of things you see. If follow-up action is needed, it will be assigned, however comments with no follow-up action are fine too. We want to hear that a neighborhood looks great as much (or more!) than we want to hear that there are specific problems.

The idea is to make both specific and general observations about this area that provide us with a clear picture of the issues, accomplishments and opportunities for the area. Look beyond your departmental scope to assist in this cross-disciplined glimpse of each area of the City. To help you, a summary from each department of what you may see or what they would like you to take note of is provided below:

Map/ page #	Department providing info.	Information provided
1	CD	Aerial view of area with property lines, zoning, streams/wetlands/floodplains, address, and street names.

Admin – 9 volunteers live in this area. No Adopt-A-Street sites – McDonald was considered but traffic is too heavy and fast, shoulders are narrow, and there are no sidewalks. Storm drains were stenciled about 3 years ago in some sections of this area. Fire hydrants were painted in 1999 and may have been repainted since then. The Tigard House Fence is due to be painted this summer. The Tigard House Fence was recently repaired or replaced. Bunkers in the City of Tigard yard were painted by volunteers in 2001. A volunteer at the end of 104th works to remove blackberry and has watered trees when they were newly planted in the green area south of the City's yard.

Engineering – The area is bounded on the north by McDonald Street (a busy collector), on the west by Highway 99W, on the south by Murdock Street (a local street that does not connect at one location), and on the east by 97th Avenue (a neighborhood route that provides access to two schools east of the street). There are some unsewered houses within this area, but sewer installations are proposed as part of the Citywide Sewer Extension Program to fill in the gaps. The streets are generally in adequate condition with curbs in some locations. However, sidewalks and street lights are lacking. The City has water storage facilities on a large parcel located at the south side of the area. An ASR (Aquifer Storage/Recovery) project was recently completed on that parcel.

Community Development – This area is primarily residential with commercial establishments on the west side adjacent to Highway 99W. The majority of the area is zoned medium and low density residential, however the property abutting 99W is zoned and developed General Commercial. The southwest corner is dominated by apartment

buildings, and Murdock between 105th and 110th has higher density developments, but the rest of the area going east is composed of primarily single family detached dwellings. There is a church located at the northwest corner of 103rd and Canterbury Lane, which is permitted by conditional use. At the southwest corner of 103rd and Canterbury Lane is property designated as historic. On this property is the John F. Tigard House. This house was built in 1880 and is also listed in the National Historic Register. The house is significant because of its association with John Tigard (eldest son of Wilson Tigard, the founding father of Tigardville) and is an example of early frame construction. There are several larger lots in the middle of this area that could potentially be subdivided in the future, however, there are no applications currently being considered.

Finance – Area 22 is mainly residential, with only a few home businesses. Please have people be aware of business advertising such as signs on houses and yards. There were 9 turn-offs in this area including two apartment complexes.

Police – The Tigard Police Dept receives approximately 700 calls for service in area 22 annually. There are numerous multi-family housing locations concentrated in the vicinity of Canterbury Ln. These apartment complexes are the primary location of our services with 7 of every 10 calls. The associated calls are requests for assistance with family and domestic issues or nuisances. Common calls are for disturbances, assaults, custodial interference, trespass (unwanted persons), loud music, harassment, warrant service, etc.

There are periodic calls from the Tigard Rehabilitation Center requesting assistance with emotionally or mentally distraught clients and reports of abandoned vehicles left in the area of 105th/ McDonald St.

Thefts from vehicles are frequently reported and continual extra patrols assigned due the large volume of vehicles in the area 22 parking lots- particularly during evening hours.

Public Works – In this area is our Canterbury Reservoir site and the gates should be locked unless crews are working on the site. There are a number of open stormwater ditches so please check for significant erosion and debris build-up. This is an older area where street and sidewalk conditions should be checked. (NOTE: the greenspace by Canterbury is maintained by volunteers.)

**If you have any questions, direct them to Julia at x2442.
Thanks and have fun!!**

COMMUNITY ASSESSMENT PROGRAM REPORT
Area 22 - walked on 4-16-03

Introduction

Comments received from:

Morgan Tracy, Jill Byers, Sandra Thorne, Bob Rogers, Diane Kuhn, Mark Luberts and Greg Berry

General Location

The area is bounded on the north by McDonald Street, on the west by Highway 99W, on the south by Murdock Street, and on the east by 97th Avenue.

Community Connector

None identified

Summary of main issues (general trends that need attention):

This area entirely residential but the number of basketball hoops in the right of way was much lower than in prior residential areas. There were more notations of the basketball hoops in the proper location than in the right of way! One common theme in this area, that was not seen as much in others, was the lack of sidewalks or gaps in the sidewalk. That may be something we want to evaluate further in the future. A new theme, but one I expect to see more of as the weather turns nicer, is the overgrowth and weeds on private property. I am suggesting more

catch basins need cleaning, etc but no obvious area wide issues. This week we had almost as many complimentary comments as we did code enforcement comments! As spring and summer progress, I think we will continue to see more nice lawns and landscaping comments.

Comments	Follow-up action	Primary dept. assigned to	Initial follow-up status	Last updated	updated Follow-up status
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97th

97th and Elrose- Beautiful flowers and yards.

Kudos

97th and Elrose- 14120 Basketball hoop in the right place.

Kudos

98th

14120 SW 98th Ct. - The branches of a front yard tree extend in front of a street light. Tree should be trimmed within next year or two.

Consider putting on a tree trim list??

PW

	Comments	Follow-up action	Primary dept. assigned to	Initial follow-up status	Last updated	updated Follow-up status
	9815 cul-de-sac beautiful yards--SW Jansen Ct. & 98th also at 14045 beautiful lantern,great yards		Kudos			
	A break in the sidewalk near 9850 on the side of 98th Ave. near the speed 25mph sign which was stuck in the yard.	Sidewalks are generally the responsibility of the developer or property owner. Because this is a local street and is not located near a school, no recommended action at this time.	N/A			
	14045 Sw Jansen Ct. and 98th area - Basketball hoop in the right area.		Kudos			
	98th Ct. and 14140 has cute lanterns lining the driveway along the flower bed- probably looks beautiful at night.		Kudos			
100th						
	Basketball hoop on driveway OUTSIDE the RIGHT OF WAY!!! On SW 100 th .		Kudos			
	Blackberries at NO ADDRESS, across from 14220 100 th	Not a violation if blackberries are on private property and do not overhang into the ROW. Based on the information received - this is not a violation	N/A			
	14220 100 th lot is a little overgrown	Public information on need to keep lawn growth in accordance with City standards for summer	CD			
	Not a code issue, but the fence at 100 th and Inez (either 10070 or 10085 Inez) is out of character for the neighborhood and looks spooky.		N/A			
103rd						

Comments	Follow-up action	Primary dept. assigned to	Initial follow-up status	Last updated	updated Follow-up status
14480 103 rd tall weeds	Public information on need to keep lawn growth in accordance with City standards for summer	CD			
103rd off McDonald, no sidewalks on either side of street	Sidewalks are generally the responsibility of the developer or property owner. Because this is a local street and is not located near a school, no recommended action at this time.	N/A			
Pointless City sign in Right of Way at J.F. Tigard House "Community Enhancement Project: Volunteers From _____" and the rest is blank. This sign fronts 103 rd across 14730 103 rd .	Volunteer coordinator take a look at issue	Admin	Requested Street crew to remove it.		
14300 103 rd right of way needs clean up.	Send crew out to asses? May need an adopt-a-street sponsor?	PW			
Northwest corner of Amanda Ct. And 103 Ave. - Erosion control fencing should be removed by property owner.	contact contractor and have them complete	Eng			
103rd and Canterbury – trip hazard on sidewalk at 10380 SW Canterbury	Contact property owner about potential liability and owner responsibility.	CD			
<u>105th</u>					
105 th Ct. - Sidewalks do not circle the cul-de-sac	Sidewalks are generally the responsibility of the developer or property owner. Because this is a local street and is not located near a school, no recommended action at this time.	N/A			
<u>109th</u>					
Hydrant across Murdock Way and 109 th pretty low, unable to see well because of grass	Send crew out to maintain	PW			

Comments	Follow-up action	Primary dept. assigned to	Initial follow-up status	Last updated	updated Follow-up status
109 th off Canterbury has no sidewalks	Sidewalks are generally the responsibility of the developer or property owner. Because this is a local street and is not located near a school, no recommended action at this time.	N/A			
Murdock and 109 th – trip hazard in sidewalk	Contact property owner about potential liability and owner responsibility.	CD			
<u>Canterbury Ln</u>					
John Tigard house needs painting.	Send crew out to assess and follow-up as needed	PW			
Corner Canterbury Lane & Pacific Hwy. – Bush blocking view of fire hydrant	Contact property owner about potential liability and owner responsibility.	CD			
<u>Elrose St</u>					
Elrose and 98th Ct. - Sidewalk overhang of plants.	Contact property owner about potential liability and owner responsibility.	CD			
Elrose Cul-de-sac whole area---Beautiful yards and flowers.		Kudos			
<u>Inez St</u>					
No comments received					
<u>McDonald</u>					
Mc Donald between Pacific Hwy & 105 th Ct. - No sidewalks	Sidewalks are generally the responsibility of the developer or property owner. Because this is a busy collector, however, perhaps we should consider placing sidewalks along this street on teh CIP list. Eng - please respond.	Eng			
Basketball hoops in the right place.		Kudos			
McDonald and 98th had a stormdrain that had little blockage.	Send crew out to assess and follow-up as needed	PW			

Comments	Follow-up action	Primary dept. assigned to	Initial follow-up status	Last updated	updated Follow-up status
Corner McDonald & Pacific – impression between sidewalk & curb could be a walking hazard	Send crew out to assess and follow-up as needed	PW			
14025 McDonald and 97th --beautiful yards and flowers.		Kudos			
9850 SW McDonald - Except for here, there is a continuous sidewalk along 98th Ave. and Ct. Pavement in good condition.	Sidewalks are generally the responsibility of the developer or property owner. Because this is a busy collector, however, perhaps we should consider placing sidewalks along this street on teh CIP list. Eng - please respond.	Eng			
9740 SW McDonald R/W needs upkeep	Not sure what this means - is it a trash issue or pavement condition issue? Send PW crew to assess and follow-uo (or forward) as needed.				
Murdock					
Planter strips along Murdock (between 97 th and 103 rd)-need maintenance	Contact property owner about owner responsibility.	CD			
9795 Murdock noxious vegetation (tall grass)	Public information on need to keep lawn growth in accordance with City standards for summer	CD			
109th – Murdock sign could be replaced	Send crew out to assess and follow-up as needed	PW			
Tall weeds at 9750 SW Murdock (vacant lot)	Public information on need to keep lawn growth in accordance with City standards for summer	CD			
Between Murdock St. and Murdock Pl., sidewalk crack is a trip hazard	Contact property owner about potential liability and owner responsibility.	CD			

Comments	Follow-up action	Primary dept. assigned to	Initial follow-up status	Last updated	updated Follow-up status
Driveway approach to garages at 10639 is cracked and needs repair	Contact property owner about potential liability and owner responsibility.	CD			
10639 SW Murdock between driveway and sidewalk –spot in sidewalk covered with bark dust where sidewalk has never been completed	Sidewalks are generally the responsibility of the developer or property owner. Because this is a local street and is not located near a school, no recommended action at this time.	N/A			
Intersection of 106 th and Murdock to Canterbury – No sidewalks	Sidewalks are generally the responsibility of the developer or property owner. Because this is a local street and is not located near a school, no recommended action at this time.	N/A			
Murdock has a lot of patches that need repairs on road	Send crew out to assess and follow-up as needed	PW			
9715 Avon Home occupation with exterior signage (corner of 97 th and Murdock)	Check for HOP and business tax, follow-up with property owner if needed.	Fin & CD			
Drainage ditches on Murdock on North side need to be cleaned out	Send crew out to clean	PW			
Pembrook					
Before 9940 Pembrook there is an evergreen tree that overhangs the bike lane near the speed 35 sign. The overhang is well above the bikers.	Based on the information provided, this is not a violation - vegetation can overhang the sidewalk if is not an obstruction to walkers, bikers, etc	N/A			
No sidewalk on one side and a sidewalk on the other side until 9940 on Pembrook St.	Sidewalks are generally the responsibility of the developer or property owner. Because this is a local street and is not located near a school, no recommended action at this time.	N/A			
View Terr					

	Comments	Follow-up action	Primary dept. assigned to	Initial follow-up status	Last updated	updated Follow-up status
	BBall hoop in right of way at SW view Court and View Terrace 9860 view terr.	Public information on rules and responsibility	CD			
	9960 on View Terrace and 103rd Cul-de-Sac 10430 gorgeous flowers-Bob described it as a color festival.		Kudos			
View Ct						
	9875 view ct, very beautiful yard		Kudos			
Pacific Hwy						
	No comments received					

Comments	Follow-up action	Primary dept. assigned to	Initial follow-up status	Last updated	updated Follow-up status
<u>General Comments</u>					
General comments regarding neighborhood: houses and yards are predominantly in good order, nicely maintained, little trash. roads are in good shape, lawns are cut.		Kudos			
Erosion control fencing in Brie Woods needs to come out, project is done	contact contractor and have them complete	Eng			
The sign for Brie woods needs to come down, all the lots have been sold.	contact contractor and have them complete	Eng			
Pacific Crest Apartments – Landscaping and buildings are kept very nice		Kudos			
Driveway approach at Pacific Crest Apartments – Bldg. B, 10965, cracked and needs repair	Contact property owner about potential liability and owner responsibility.	CD			



MEMORANDUM

CITY OF TIGARD, OREGON

TO: Exec Staff

FROM: Julia Hajduk

DATE: April 22, 2003

SUBJECT: CAP area 22 report summary

WELCOME TO THE CAP QUARTER #2! Attached is the report for Area 22, the first walk for quarter 2. As you are aware, a few changes were made based on the CAP program evaluation, however, the walk for area 22 occurred before many could be implemented. The updated walker guidelines and new checklist were distributed with the packets for the next walk so we will see if that helps in the consistency and detail of comments.

For area 22, there were 7 people walking. This area entirely residential but the number of basketball hoops in the right of way was much lower than in prior residential areas. There were more notations of the basketball hoops in the proper location than in the right of way! One common theme in this area, that was not seen as much in others, was the lack of sidewalks or gaps in the sidewalk. That may be something we want to evaluate further in the future. A new theme, but one I expect to see more of as the weather turns nicer, is the overgrowth and weeds on private property. I am suggesting more public education about the rules and requirements. There were a few instances where the roads needed attending, fire hydrants need clearing, catch basins need cleaning, etc but no obvious area wide issues. This week we had almost as many complimentary comments as we did code enforcement comments! As spring and summer progress, I think we will continue to see more nice lawns and landscaping comments.

A few reminders for you to share with your walkers:

- Team Leaders should be taking the camera and taking pictures while out (I have received pictures from only 1 walk)
- Walkers should bring cell phones and share the numbers before they head out, and
- detailed comments and recommended follow-up action is helpful and appreciated.

Attached is a full summary of the comments received and the departments that they were assigned to.

Department	# of actions assigned	Summary of issues/actions
Administration	1	Look at need for volunteer sign at John F. Tigard House
Engineering	5	Contact contractors to clean up/finish project, consider putting sidewalks on CIP list.
Community Development	14	Basketball hoops in ROW, weeds/shrubs blocking sidewalk, overgrown vegetation on property, sidewalks in disrepair, possible home occupations.
Finance	1	Businesses that were not on business tax list
Police	0	No action items
Public Works	10	Road maintenance, clean out storm drainage, clean drainage ditch, replace signage, clear out around fire hydrant, consider painting (or arrange for painting) John Tigard House
Library	0	No action items.
Kudos	13	Lots of Kudos this week – wonderful landscaping comments, nice flowers, basketball hoops in the correct location (yay!).

Community Assessment Program Area 22 Report Community

The Community Assessment Program is bring work groups of city employees across department lines into each neighborhood in the city so all neighborhoods are the focus of an information gathering and issue identification effort at least once a year.

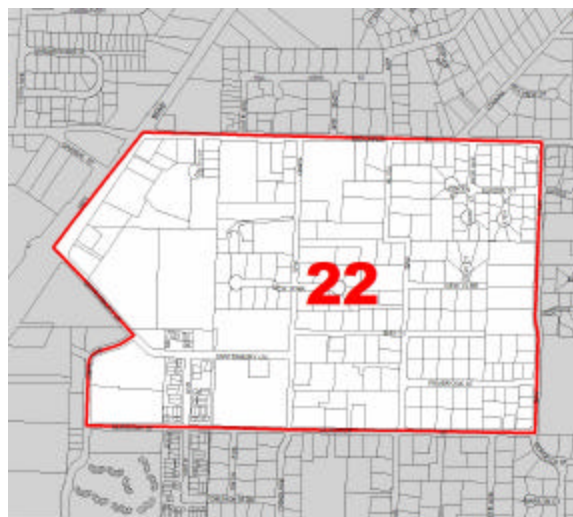
Staff walked this area on April 16, 2003 to conduct a first hand assessment. Corrective actions have been scheduled, assignments made, follow-up is being documented, and this report has been prepared to the community on the area.

Area 22 is bounded by on the north by McDonald Street, on the west by Highway 99W, on the south by Murdock Street, and on the east by 97th Avenue. This area is primarily residential with commercial establishments on the west side adjacent to Highway 99W. The majority of the area is zoned medium and low density residential, however the property abutting 99W is zoned and developed General Commercial. The southwest corner is dominated by apartment buildings, and Murdock between 105th and 110th has higher density developments, but the rest of the area going east is composed of primarily single family detached dwellings.

Below is a summary of the assessment of your area. Please note where the city or other agency will assume responsibility for follow-up and where private citizens are responsible. Volunteer opportunities are also identified where neighbors could get involved to address issues. Together, we can work to improve our community.

No photo provided
Photo

Map of Area 22



Kudos – Lots of Kudos for this area including comments on wonderful landscaping, nice flowers, and basketball hoops in the correct location (outside of the right-of-way).

Basketball hoops in right-of-way – We found several instances where basketball hoops are on sidewalks which are in the public right-of-way. Did you know that basketball hoops aren't allowed in the public right-of-way? An article detailing the rules for placement of basketball hoops will appear in the May Cityscape. Contact Christine Darnell, Code Compliance Specialist, at 503-639-4171 ext. 2441 or christine@ci.tigard.or.us.

Weeds/Shrubs blocking sidewalks – In several locations residents have allowed their shrubs and/or weeds to grow onto the sidewalk. All vegetation should be clear of sidewalks. If your bushes or weeds have experienced a recent growth spurt please trim them back away from the sidewalk. Questions? Contact Christine Darnell, Code Compliance Specialist, at 503-639-4171 ext. 2441 or christine@ci.tigard.or.us.

Overgrown vegetation on private property – Did you know that any grass over 12 inches tall is considered noxious vegetation and a violation of city code? There were a few comments that grass is beginning to get high on several properties in this area. Make sure to stay on top of the mowing as the warmer weather gets here. Questions? Contact Christine Darnell, Code Compliance Specialist, at 503-639-4171 ext. 2441 or christine@ci.tigard.or.us .

Trip Hazards on sidewalks – Sidewalk maintenance is the property owner responsibility. There were several areas with cracks, settling etc in the sidewalk that could pose a trip hazard and could be a potential liability for property owners. Please make sure that your sidewalk remains a safe place for pedestrians. Questions? Contact Christine Darnell, Code Compliance Specialist, at 503-639-4171 ext. 2441 or christine@ci.tigard.or.us .

Businesses without paid business tax – All businesses including home based businesses in Tigard must pay an annual business tax. If you own a business in this area, please make sure your business tax payment is current. Please contact Heather at 503-639-4171 ext. 2487 or heather@ci.tigard.or.us if you have questions. In addition to paying the business tax, you must have an approved home occupation permit to conduct business from your home. Please contact the permit counter at 503-639-4171 ext 2421.

Vegetation in storm water ditches and catch basins – The Public Works Department will assess each location identified as needing attention and establish a priority for annual maintenance. You can help out by keeping vegetation down in storm water ditches that abut your property. Questions? Contact Eric Hand at 503-639-4171 ext. 2607 or eric@ci.tigard.or.us .

Street maintenance – Several comments were received regarding needed street maintenance to fix potholes, cracks etc. The Public Works Department will assess each location and establish a priority for maintenance. Questions? Contact Howard Gregory at 503-639-4171 ext 2606 or howard@ci.tigard.or.us .

More ways you can help make our community better –

If you spot graffiti...CHIEF PLEASE COMPLETE THIS SECTION

FYI – The fence at the John Tigard House will be getting a fresh coat of paint soon thank to Volunteers.

If you are interested in serving as a community connector for this area, please contact Liz Newton at 503-639-4171 ext. 2412 or liz@ci.tigard.or.us. The role of the community connector is a two way communicator of information as well as the neighborhood contact in times of emergency.

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Community Assessment Program (CAP) Communication Plan

Item	Timeline	Audience	Responsible
Trial program evaluation meetings	March 31 April 1	Walkers Exec Staff	Liz/Julia
Memo and email on program modifications	April 24	Walkers All Staff	Liz
Press release on program	May 6	Citizens	Julia/Liz
Introduction of program to Council on cable television	May 13	Council, Citizens	Liz/Julia
Reports to the community	Begin Week of May 19	Citizens	Liz/Julia
Designate Community Connectors	Begin Week of May 19	Citizens	Liz
Publish monthly schedule in Cityscape and on Web	Begin with June Cityscape; Web by June 1	Citizens	Julia/Cathy
Publish area assessments in Cityscape and on Web	Begin with June Cityscape; Web by June 1	Citizens	Liz/Julia/Cathy
2 nd Quarter Evaluation Meetings	June 23 June 24	Walkers Exec Staff	Liz/Julia
Press Release on evaluation	Week of July 7	Citizens	Julia/Liz
Develop program for expanded Community Connector role	Begin July 21	Community Connectors	Liz

AGENDA ITEM # _____
FOR AGENDA OF May 13, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Street Maintenance Fee

PREPARED BY: Brian Rager DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

City Council will discuss information received to date regarding the proposed Street Maintenance Fee, including testimony received at the April 22, 2003, public hearing, and answers to questions submitted by Council members to City staff following that meeting.

STAFF RECOMMENDATION

Staff recommends the Council consider and discuss the information presented by Staff at the April 22, 2003 hearing, as well as the oral and written testimony received to date, in preparation for a decision on May 27, 2003 regarding possible implementation of the fee.

INFORMATION SUMMARY

On April 22, 2003, a public hearing was held to consider the formation of a Street Maintenance Fee. Staff presented a report with the background as to why a fee is needed. Information was also presented as to the proposed rates for various land uses.

Written and oral testimony was provided by members of the business community regarding concerns about the proposed fee. Council indicated they would consider the information and testimony on May 13, 2003. Council further indicated that they would decide on the possible implementation of the fee at the May 27, 2003 Council meeting.

Following the discussions at this meeting, Staff is prepared to respond to Council direction on any other items that may be desired for the May 27th meeting, including submittal of a draft ordinance for review and discussion.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Timely maintenance of public street infrastructure meets the Tigard Beyond Tomorrow goal of *Improve Traffic Safety*. The implementation of the Street Maintenance Fee meets the goal of *Identify and Develop Funding Resources*.

ATTACHMENT LIST

Memorandum responding to questions raised by Council members.

FISCAL NOTES

The implementation of the Street Maintenance Fee would provide funding for street maintenance, limited right-of-way maintenance, limited sidewalk maintenance, and street light and traffic signal system energy costs and maintenance.

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CITY OF TIGARD

Engineering Department

Shaping A Better Community

MEMORANDUM

CITY OF TIGARD

13125 SW Hall Blvd.
Tigard, OR 97223
Phone 503-639-4171
Fax: 503-624-0752

TO: Mayor and City Councilors
Bill Monahan, City Manager

FROM: Gus Duenas
City Engineer

DATE: May 6, 2003

SUBJECT: Answers to Council Questions Regarding the Street Maintenance Fee

Below are questions received on April 30, May 1 and May 2, 2003 from City Council regarding the proposed Street Maintenance Fee. Questions will be shown in **bold**, with the responses immediately below. Questions were received from four Council members (Mayor Griffith, Sydney Sherwood, Nick Wilson and Craig Dirksen). There were some questions that were similar in nature, so I have grouped them together before responding.

- **There has been no discussion from the Business Industry about their concept of assisting with the determination. Several offered to participate in an options evaluation, looking for reasonable option. Would it place us in a difficult position if we were to call together a group of Business folks and let them have a go at developing an acceptable formula?**

Response:

Staff could certainly invite members of the business community to offer proposed solutions. Early in the process, Staff met with and contacted several businesses to inform them of the intent. So far, the only input Staff has received is a clear message that they do not want the fee. There have been no alternative fee methodologies offered by the business community. Staff could do more if Council chooses to delay implementation of the fee. However, it is clear that the business community feels that more of the burden should be shifted to residential uses. Changing the percentages to have the residential users pay 50% of the anticipated fees increases the monthly rate to \$4.51 for single family detached and \$3.12 for multi-family units. The City of Wilsonville implemented a 50-50 split and the same could be considered by Council for the proposed fee.

- **Does the formula that we and other cities use specify the difference in impact of travel between the impacts of a truck versus a car on wear and damage to a ROW?**

Recognizing that a number of other cities have the fee, what formula do they use? Is it the same as ours?

Response:

The proposed methodology considers only the overall intensity of vehicle trips generated. It does not include a factor for truck traffic. This is the same methodology used by the City of Tualatin. The Institute of Transportation Engineers (ITE) suggests that the use of vehicle trip generation factors for each use is a reasonable basis for setting a fee. ITE also indicates that cities can further refine their methodology by making the following adjustments:

- Distinguish among households with varying trip generation rates. The ITE manual provides trip adjustment factors for households by size, auto ownership and density. An application process would need to be developed to simplify the administration of a maintenance fee waiver or special maintenance fee. Staff has not considered this refinement to date, as it appears such an adjustment would encompass significant staff time that is not available due to recent budget cuts.
- Adjust trip generation estimates for pass-by trips that are attracted to commercial properties as intermediate stops on the way to primary destinations, also for internal trips within mixed-use developments that never venture onto the public road system. Staff included adjustments for pass-by trips in the proposed methodology.
- Adjust for the volume of truck traffic generated by different land uses. In terms of wear and tear on pavement, heavily loaded trucks are equivalent to hundreds or even thousands of automobiles. Accordingly, highway cost allocation studies have used equivalent single-axle loads as a basis for allocating pavement rehabilitation and maintenance costs. Some adjustment is necessary whenever trucks represent a significant portion of traffic on a jurisdiction's roads. The TSP states that truck traffic makes up at most 5% of the traffic in Tigard. This is considered normal. Factoring in truck traffic will most likely increase the participation of the major businesses rather than reducing it.
- Multiplying trip generation rates by average trip lengths to arrive at vehicle miles of travel (VMT) generated by developed properties. On its face, VMT is a better measure of local road use than is trip ends. However, the practical problems of estimating average trip lengths for a multitude of land uses, and breaking out travel on city streets, might be so great as to preclude this refinement. The City of Lake Oswego, in reviewing their potential fee, proposed to use VMT in setting their rates. However, Lake Oswego has a substantial amount of information available on VMT's originating from the implementation of their transportation SDC's. Tigard does not have that information available.

The fee used by the City of Wilsonville considers three separate scales: intensity of trip generation, magnitude of the development measured by gross square feet of developed area, and trucks per day serving the development. Points are assigned for each of the three categories to help

determine the fee amount. However, Wilsonville arbitrarily set the fees at 50% residential uses and 50% businesses and it is not clear just how the scales affected the establishment of the rates.

- **We did not ask the Grocery Representative as to why they are not protesting and suing other cities that already have the Street Maintenance Fee, or are proposing the fee.**

Is there a legal basis for the “implied threat” from the grocers group? If there is, why haven’t they challenged the fees in other cities?

Response:

They have challenged the establishment of the fees in Portland and Eugene. They have not gone after cities that have already established the fees, but are trying to prevent other cities from following suit.

- **I thought that we had received a determination from the City Attorney as to the status of the fee as a fee and not a tax. Is this correct? If not, we need to obtain a determination.**

I think a more detailed discussion of the legal difference between a tax and a fee are in order since there was an implied threat that the proposed fee, if adopted, would be challenged in court.

Response:

The City Attorney has determined that the key is how the fee is structured. It could be structured as a fee. It is important that fee not be construed as a property tax, which would be subject to the limitations of the property tax. The City Attorney will discuss this further with you at the meeting on May 13, 2003.

- **Can we set a time limit on the Fee, say five years, or even three years, at which time we would need to re-evaluate the need and/or adjust the amount? This would give us a lift over the next few years and give the State time to get itself together.**

Gus mentioned at the meeting that we can look at this fee and see if we need to raise it annually. When Council talked about this, we talked about a set fee and then a sunset clause. Where did the part about raising it annually come in?

Response:

Council certainly has the authority to set a time limit on the fee, or a sunset clause. In previous discussions with the Council, Staff indicated that based upon the experiences of other cities like Tualatin, Wilsonville and Ashland, that the fee would be ongoing. The maintenance backlog is over \$4 million dollars. It would not be practical or advisable to establish fees that bring in that much revenue. The City can address the backlog by setting up a long-term maintenance program to catch up on the backlog and continue with the maintenance needed. The \$800,000 for street maintenance will be able to do just that. Staff recommends that the fee and the maintenance needs be reviewed periodically and adjusted as needed. Adjustments could be up or down depending on

the level of revenue received and maintenance needs foreseen for the coming years. The intent of the Street Maintenance Fee is to establish a stable source of revenue for maintenance. Setting a sunset clause would be contrary to that.

Staff indicated that the City of Tualatin began their fee with an intent of reviewing in later years for potential increases. Until just recently, the Tualatin fee had not been raised since inception in the 1980's, and the fee was only increased in order to cover sidewalk repairs citywide.

If Council desires, the proposed fee could be initiated with a set review period. Prior to the end of the review period, Staff could update the Council as to how the program is working. At that time, Council could decide whether or not to continue with the fee.

- **Are we positive this will not end up in a court battle? I want a yes or no on this.**

Response:

No. We believe it could very well end up in a court battle.

- **Why is the fee so heavily weighted on the businesses when the people who are going to benefit are the people in the neighborhoods who will have better access to getting around and also having their sidewalks and rights-of-way maintained? Can it be renegotiated? I think we need business on our side in order to do this fee. We have done virtually no public relations on it other than a few presentations.**

Should we look for more balance between residential and business? What logical formula could we devise that would throw more burden (just a little) on residential units? Perhaps we should consider this.

Response:

The reason it appears that businesses carry more of the burden is the fact that their trip generation is larger by proportion than the single family and multi-family uses in Tigard. The proposed methodology makes a direct correlation between the percentage of overall trips generated to the percentage of the overall fee that is paid. For reference, please review the tables provided in the March 5, 2002 staff report entitled, "Street Maintenance Fee Study Report". For instance, Appendix B-1 is the table that covers the "street maintenance" component of the fee. The 8th column over is entitled "% of Total Trips". This column indicates the percentage of trips each use contributes toward the total number of trips per year (shown in the 7th column, entitled "Trips/Year, 260 days"). So, the single family detached use in Tigard generates approximately 16.5% of the overall total trips per year. Multi-family uses generate approximately 7.0%. Together, the residential uses in Tigard make up 23.5% of the overall annual trips. The remainder of the total trips is made up by the non-residential, or commercial, uses.

Next, it is important to look at the 10th column over, entitled "% of Total Cost". For each use listed in the table, the percentage of overall cost should correlate closely with the percentage of trips. For the non-residential groups, it is important to compare the subtotals line for each group. The

percentages match because Staff believed that the amount each use should pay ought to be proportionate to the amount of trips each use generates.

In light of the argument from the business community that residential uses should carry more of the burden, Staff has prepared an option that would result in the residential uses carrying 50% of the burden, and the non-residential uses carrying the other 50%. The result of this “50-50 split” is as follows

Land Use Category	Monthly rate as currently proposed	Monthly rate - 50-50 split (residential vs non-residential)
Single Family (Detached)	\$2.54	\$4.51
Multi-Family	\$1.76	\$3.12
Non-residential Group 1 (0-20 trips/unit/day)	\$2.08	
Non-residential Group 2 (< 20 - 100 trips/unit/day)	\$11.10	
Non-residential Group 3 (<100 - 400 trips/unit/day)	\$53.73	
Non-residential Group 4 (Special Category)	\$0.72	

It is important to note that the sidewalk maintenance and the rights-of-way maintenance are options at this time. The City is not currently providing that service. In addition, the scope for each is limited to collectors and arterials only. The street maintenance and street light and traffic signal maintenance are ongoing needs that are currently addressed inadequately by the Gas Tax Fund.

- **I would like more specific and detailed information about the condition of the 140 miles of Tigard streets. Where are the maintenance needs and how was the maintenance backlog calculated?**

Response:

The City has a Pavement Management System that rated the streets within the City and determined the maintenance requirements based on the ratings. The streets were last rated in 1999. At that time, many streets required slurry seals. Because of the inability to comprehensively address the maintenance requirements over the past few years, we believe many of these streets now need at least a thin overlay (1 inch or so), and some possibly a regular overlay (2 inches or more). A few of the streets now need reconstruction at much higher cost. The maintenance backlog is calculated on the maintenance requirements at this time using our current costs for asphaltic concrete installed in-place.

- **Why is a maintenance fee better than a maintenance bond measure?**

Response:

A fee can be implemented by Council directly without going through a voting process. An option could be a maintenance bond measure to address the backlog over a two to three year period. Council can always choose to place this issue on a ballot for voter consideration. However, the streets still need maintenance after that. The SMF provides a stable source of revenue to establish

that continuing program. A bond issue would be subject to arbitrage requirements with funds typically having to be expended over a 2-3 year period.

- **How are we paying for street light, and traffic signal maintenance now? If this money were freed up, what would we use it for?**

Response:

Currently, street light and traffic signal maintenance costs are funded totally by the Gas Tax Fund. The gas tax revenues are not restricted to maintenance, but can be used for a wide variety of needed street improvements. However, these funds have been used primarily for maintenance because of the large maintenance backlog and the inadequacy of the current gas tax rate to address anything beyond that. The proposed Street Maintenance Fee would supplement the gas tax and would be used in the maintenance of the street system. This would allow use of some gas tax revenues to address reconstruction, installation of crucial pedestrian connections, and other street improvement needs. In addition, a portion of the gas tax revenues can be used to repay loans, or to issue revenue bonds, for major street improvements. This option becomes available and can be considered if the Street Maintenance Fee provides that supplemental source of funds for maintenance.

- **What about sidewalk maintenance? In the past, I thought that adjacent property owners were responsible for maintaining their sidewalks. If a street tree heaves a sidewalk is it not the adjacent homeowner's responsibility?**

Response:

Tigard's development code currently holds the property owner responsible for the sidewalks that abut their property. Therefore, if a street tree heaves the sidewalk to a point where it is considered a tripping hazard, the property owner would be responsible for repairing the sidewalk. This has never been a very comfortable standard for Staff to enforce. Why? The property owner did not have a choice about the placement of the street tree. They have very little control over what happens with the sidewalk because of that tree. The primary concern was with regard to sidewalks along collector roadways where properties back up to them. For instance, the subdivisions along Durham Road with lots that back up to the street is a good example. Property owners do not regularly maintain street frontage behind their property. It is often "out of sight, out of mind". So, when the task force began development of the proposed fee, the thought was to include an option for the City to take over maintenance of the sidewalks along collectors to alleviate the burden on property owners.

- **I would also like some information about landscape maintenance of arterial rights-of-way. I understand that this has been a long festering issue on Durham Road but where else does it occur in the City? How would the City propose that it be maintained if the City takes it over? Are there other options? Could the City assist the owners without assuming complete responsibility?**

Response:

This issue is similar in nature to the sidewalk issue. This component would include maintenance of rights-of-way of collector streets where properties back up to the street and do not take vehicular

access from the street. Trees, shrubs, grass and weeds will tend to go un-maintained and become a noxious vegetation issue. Therefore, the Task Force also included this component as an option for the Council to consider. 135th Avenue is another street similar to Durham Road.

- **Please address Gene McAdams' distinction between an Ordinance and a Resolution.**

The establishment of the fee itself would be by ordinance. The establishment of the rates would be by resolution. Fee rates are currently set by resolution because they periodically need adjustment. It would be awkward to set the rates by ordinance and have to deal with an ordinance every time a fee rate needs to be changed.

Response to an item of information provided in the testimony by the Oregon Grocery Association.

One of the points raised by the Oregon Grocery Association at their presentation on April 22nd concerned the ITE studies performed for supermarkets. The OGA representative stated that only two studies were done for supermarkets. In fact, the ITE Trip Generation Manual lists almost 40 studies performed over a period of years. Those studies were done on various days of the week. A few of the studies were performed for example on AM traffic on a Sunday, for example. However, the aggregate total is almost 40 studies covering a typical week period for supermarkets. The aim was to come up with an average trip generation rate for supermarkets.

Because of the way we have established the categories, it would be difficult for a land use to jump from one category to another. Performing traffic studies for individual businesses would probably revise a few of the trip numbers, but most likely would not result in numbers that would jump a land use from one category to another. For example, whether a supermarket generates 80 trips per 1,000 square feet, or 60 trips per 1,000 square feet would not move them out of the Group 2 category (20< - 100 trips per 1,000 square feet).

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AGENDA ITEM # _____
FOR AGENDA OF May 13, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Amendments to the FY 2002-03 Capital Improvement Program Budget

PREPARED BY: A.P. Duenas DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should City Council amend the FY 2002-03 CIP (Capital Improvement Program) Budget to substitute the Bonita Road Reconstruction Project for the North Dakota Street Improvements and to separate the Hall Boulevard/Wall Street Intersection project from the Wall Street LID (Local Improvement District).

RECOMMENDATION

Staff recommends that City Council approve the attached resolution amending the FY 2002-03 CIP Budget.

INFORMATION SUMMARY

There are two specific amendments proposed to the FY 2002-03 CIP Budget. Those two amendments were presented to the Planning Commission at its meeting on April 21, 2003. The Planning Commission approved the amendments and recommends Council approval for implementation. The amendments are further described as follows:

Amendment No. 1 - Add the Bonita Road Reconstruction Project to the FY 2002-03 CIP and delete the North Dakota Street Project. There would be no change in the overall FY 2002-03 CIP Budget amount as a result of this amendment.

Bonita Road is a collector street that carries over 12,000 vehicles per day. During the construction of Durham Road from Hall Boulevard to 72nd Avenue in 1996, Bonita Road was used as a detour route and carried well over 24,000 vehicles per day for a 6-month period. The heavy volume of traffic over a period of years has taken its toll on the street with severe rutting and cracks prevalent between Hall Boulevard and Fanno Creek Bridge. An overlay project a couple of years ago repaired a relatively short segment of Bonita Road near the Hall Boulevard intersection. However, a visual inspection, confirmed by geotechnical investigation of the street structural section, indicates that reconstruction of the rest of the street is urgently needed at this time. Because of the serious problems that continuing rapid deterioration of that street could cause, Bonita Road should be reconstructed this calendar year if at all possible. Attached is a drawing showing the segments of Bonita Road that are proposed for reconstruction during the remainder of calendar year 2003.

The Adopted Capital Improvement Program (CIP) of the City of Tigard lists all projects authorized to be developed or constructed in FY 2002-03. The FY 2002-03 CIP includes a project under the Street System Program to reconstruct North Dakota Street (Greenburg Road to 95th Avenue). Bonita Road carries significantly more traffic (12,000 average daily traffic) than North Dakota Street (less than 1,000 average daily traffic), which is classified as a neighborhood route. The proposed improvements on North Dakota Street can be delayed while the

reconstruction of Bonita Road needs to be addressed as soon as possible. The amount of funding allocated to the North Dakota Street Project can be applied to the Bonita Road Reconstruction Project for the remainder of FY 2002-03 without increasing the CIP Budget.

Adding the Bonita Road Reconstruction Project to the FY 2002-03 CIP and deleting the North Dakota Street project would allow the design work on Bonita Road to proceed immediately and would ensure timely construction of that project in the summer of 2003. The North Dakota Street project would be rescheduled for a future fiscal year.

Amendment No. 2 - Separation of the Hall Boulevard/Wall Street Intersection and Approaches Project from the Proposed Wall Street LID (Local Improvement District)

Wall Street is a new collector street identified in the Tigard Transportation System Plan. It was added in 2002 to the Countywide Traffic Impact Fee (TIF) Base Report as a TIF-eligible facility. The design of Wall Street from its intersection with Hall Boulevard to its intersection with Hunziker Street is funded in the FY 2002-03 CIP under the Wall Street LID Fund. An amount of \$300,000 in TIF funding is available under that fund for engineering design costs.

This amendment would separate the Hall Boulevard/Wall Street intersection and approaches from the proposed LID so that it could be designed and constructed as a City project. The new Library Project and the Fanno Pointe Project (immediately south of the new Library site) are two developments currently underway. It would be desirable for both developments to have one common access point to Hall Boulevard along the selected Wall Street alignment. The intersection project would widen Hall Boulevard along the Library and Fanno Pointe frontages and construct a segment of Wall Street long enough to provide a common access point to Hall for the two development projects. The extension of Wall Street from that segment to connect to Hunziker Street would remain under the proposed Wall Street LID project. That segment would be constructed only if the LID is successfully formed and permits are obtained to cross the wetlands, Fanno Creek, and the existing railroad tracks.

There would be no change in the overall FY 2002-03 CIP Budget amount. A new project would be created to cover the Hall Boulevard/Wall Street intersection and approaches. The \$300,000 available in TIF funds for engineering design costs under the Wall Street LID Fund would be reallocated as follows:

- ◆ *Hall Boulevard/Wall Street Intersection and Approaches* - \$200,000 (TIF Fund)
- ◆ *Wall Street LID* - \$100,000 (TIF Fund)

Attached are drawings showing the limits of the Hall Boulevard/Wall Street intersection project, and the extension of the rest of Wall Street to connect to Hunziker Street covered by the Wall Street LID.

The TIF amount allocated for the intersection project would be sufficient to complete the design work in FY 2002-03. Construction funding for the intersection and approaches would be requested under the FY 2003-04 CIP.

OTHER ALTERNATIVES CONSIDERED

Add the Bonita Road Project to the FY 2003-04 CIP. This may delay reconstruction of Bonita Road until spring and summer of calendar year 2004. Leave the Hall Boulevard/Wall Street Intersection as part of the Wall Street LID Project.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Timely maintenance of the street infrastructure meets the Tigard Beyond Tomorrow goals of *Improve Traffic Safety* and *Improve Traffic Flow*.

ATTACHMENT LIST

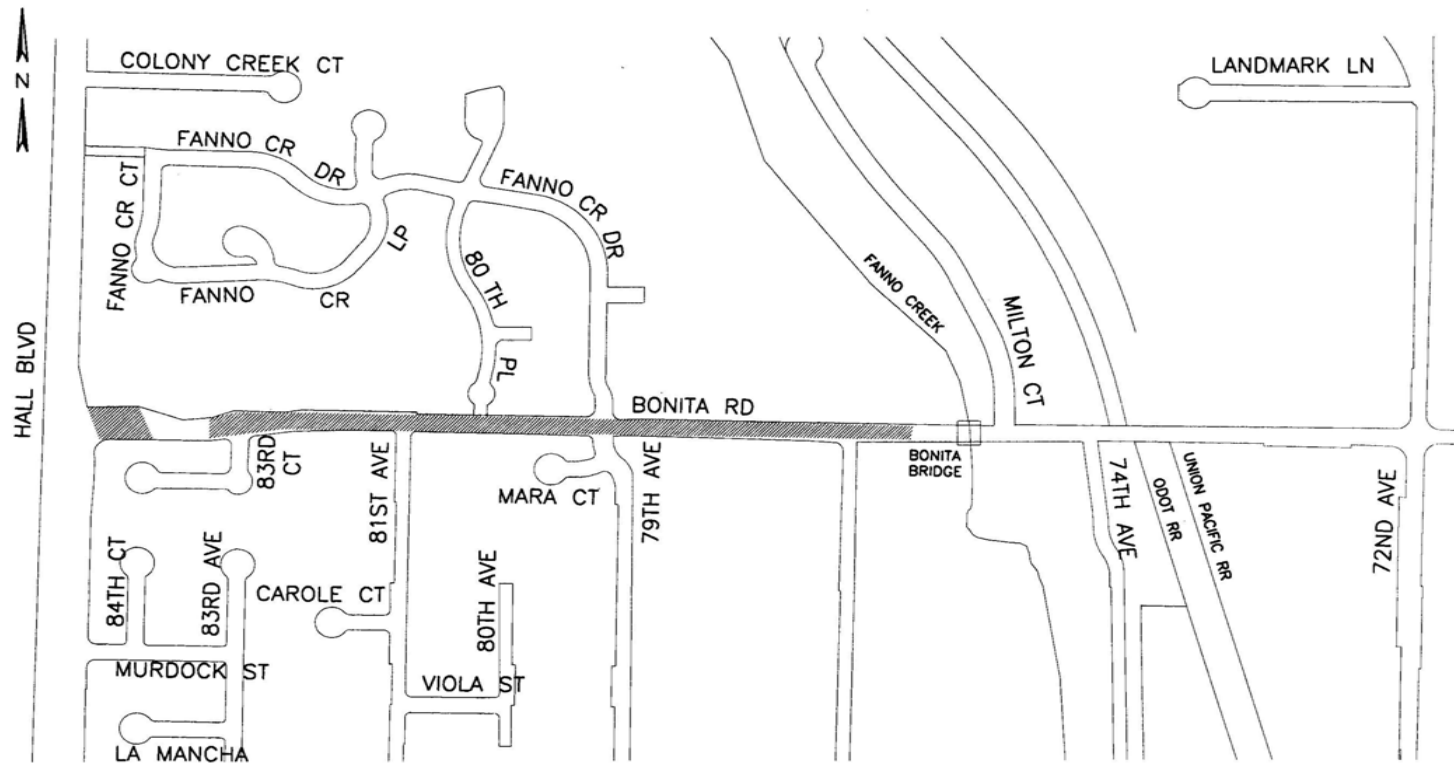
1. Drawing showing the Bonita Road Reconstruction Project limits
2. Drawing showing the Hall Boulevard/Wall Street Intersection and Approaches
3. Drawing showing the Wall Street LID to extend Wall Street the rest of the way to Hunziker Street
4. Resolution to Amend the FY 2002-03 CIP Budget

FISCAL NOTES

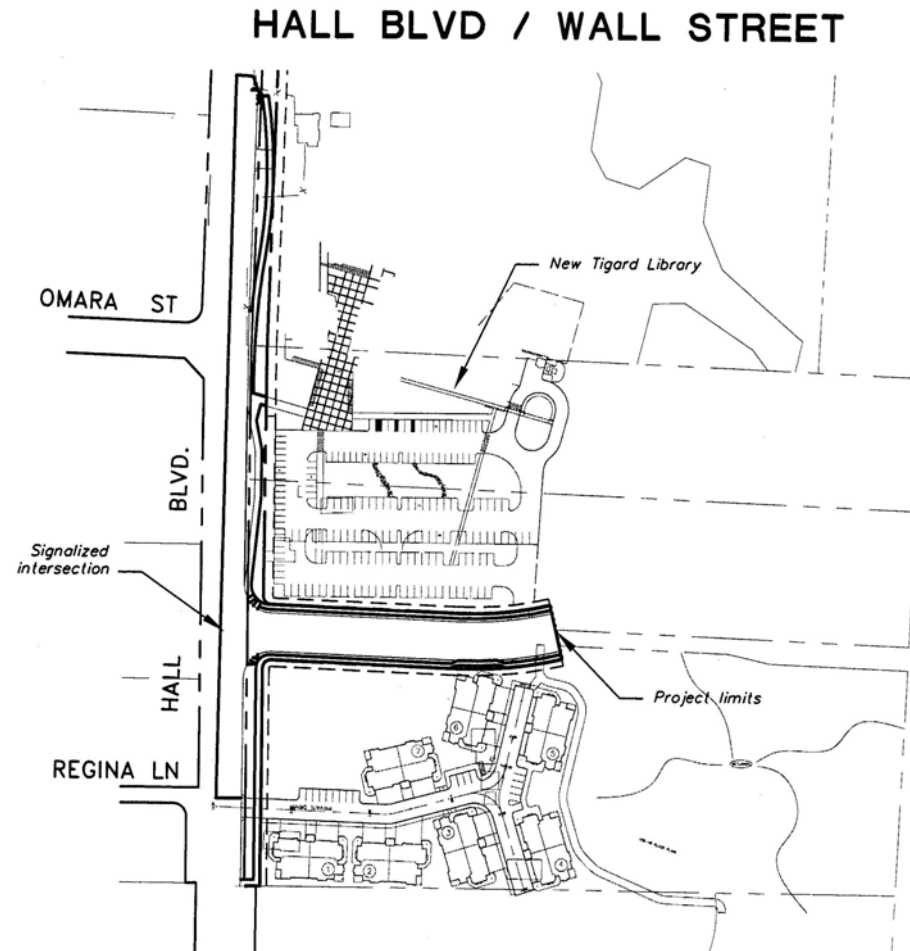
There would be no change in the overall FY 2002-03 CIP Budget. The \$120,000 allocated for the North Dakota Street Project would be applied to the Bonita Road Reconstruction Project. The North Dakota Street project would be rescheduled for implementation in a future fiscal year. The \$300,000 allocated for the design of the Wall Street LID would be divided between the intersection project and the proposed Wall Street LID improvements.

Bonita Road Reconstruction Project

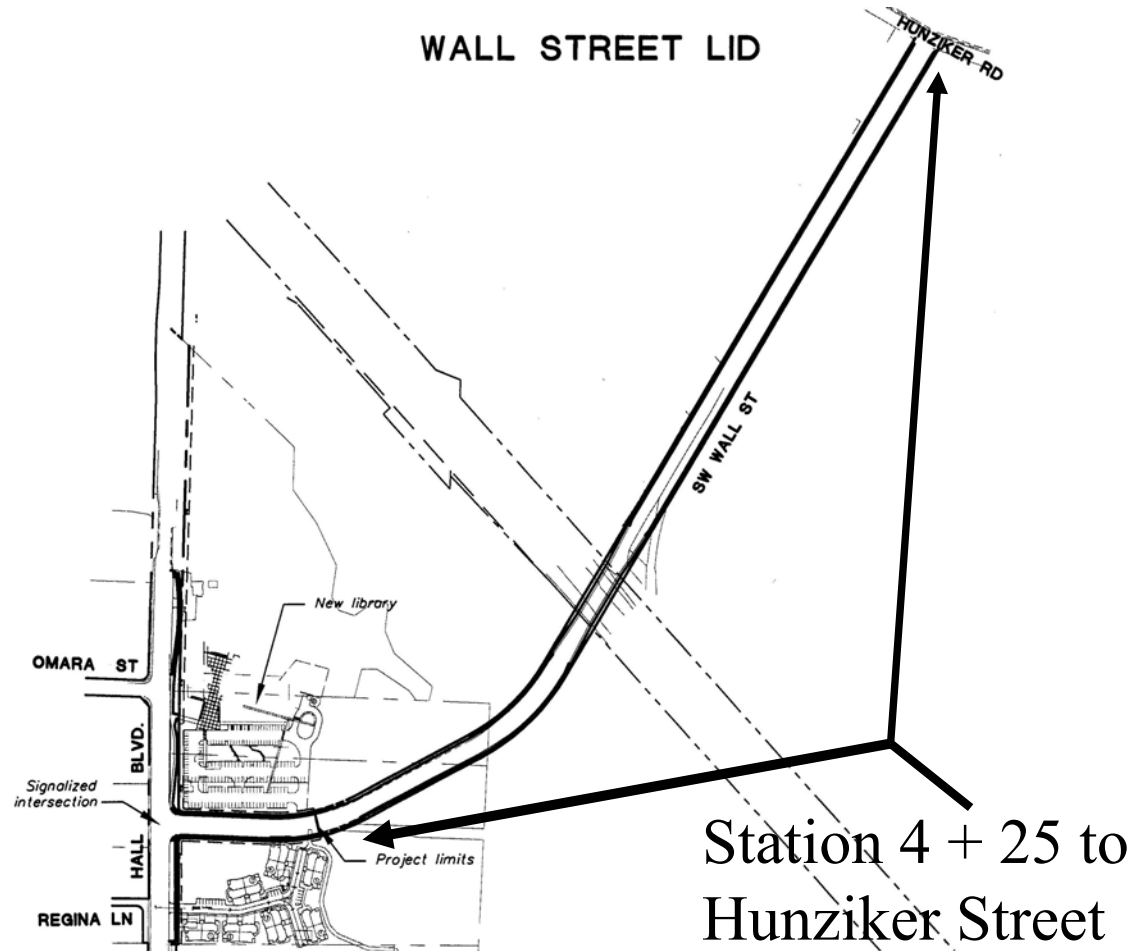
BONITA ROAD RECONSTRUCTION HALL BLVD TO BRIDGE



Hall Boulevard/Wall Street Intersection and Approaches



Proposed Wall Street Local Improvement District



CITY OF TIGARD, OREGON

RESOLUTION NO. 03-_____

A RESOLUTION TO AMEND THE FY 2002-03 CIP (CAPITAL IMPROVEMENT PROGRAM) BUDGET.

WHEREAS, the Adopted FY 2002-03 CIP (Capital Improvement Program) of the City of Tigard lists all projects authorized to be developed or constructed in FY 2002-03; and

WHEREAS, the FY 2002-03 CIP includes a project under the Street System Program funded under the Gas Tax Fund to reconstruct North Dakota Street (Greenburg Road to 95th Avenue); and

WHEREAS, visual inspection, confirmed by geotechnical investigation, of the street structural section on Bonita Road from Hall Boulevard to Fanno Creek Bridge indicates that reconstruction of that street is urgently needed at this time; and

WHEREAS, Bonita Road is a collector street in the City's transportation network and carries significantly more traffic than North Dakota Street (a neighborhood route); and

WHEREAS, the proposed improvements on North Dakota Street can be delayed and the amount of funding allocated to that project can be applied to the Bonita Road Reconstruction Project for the remainder of FY 2002-03 without increasing the CIP Budget; and

WHEREAS, the FY 2002-03 CIP includes the proposed Wall Street LID (Local Improvement District) Project with funding of \$300,000 allocated for the design of the project; and

WHEREAS, it is the desire of both the City and the Oregon Department of Transportation that the new Tigard Library project and the Fanno Pointe Condominiums project have one common access point to Hall Boulevard along the selected Wall Street alignment; and

WHEREAS, there is a need to separate the Hall Boulevard/Wall Street intersection and approaches from the proposed LID so that it could be designed and constructed as a City project to allow for that common access point; and

WHEREAS, the extension of Wall Street from that segment to connect to Hunziker Street would remain under the proposed Wall Street LID project and would be constructed only if the LID is successfully formed and permits are obtained to cross the wetlands, Fanno Creek, and the existing railroad tracks; and

WHEREAS, the \$300,000 available in TIF funds for engineering design costs under the Wall Street LID Fund could be reallocated to provide \$200,000 for the intersection project and \$100,000 for the Wall Street LID without changing the overall FY 2002-03 CIP Budget amount; and

WHEREAS, the Planning Commission at its meeting on April 21, 2003 approved the proposed amendments and recommends approval to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Amendment No. 1 to the FY 2002-03 Capital Improvement Program Budget is hereby approved to add the Bonita Road Reconstruction Project (Hall Boulevard to Fanno Creek Bridge) to the Street System Program project list and delete the North Dakota Street Project (Greenburg Road to 95th Avenue) from that list. The amount of \$120,000 allocated in the FY 2002-03 CIP Budget from the Gas Tax Fund for the North Dakota Street Project is hereby allocated for the Bonita Road Reconstruction Project.

SECTION 2: Amendment No. 2 to the Approved FY 2002-03 Capital Improvement Program Budget is hereby approved to establish the Hall Boulevard/Wall Street Intersection and Approaches project as a project separate from the Wall Street LID. The \$300,000 allocated from TIF funds for the Wall Street LID project is hereby reallocated as follows: Hall Boulevard/Wall Street Intersection and Approaches (\$200,000) and the Wall Street LID (\$100,000).

SECTION 3: There shall be no changes in the overall FY 2002-03 CIP Budget amount as a result of these amendments.

EFFECTIVE DATE: This resolution shall take effect on May 13, 2003.

PASSED: This _____ day of _____, 2003.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard